

SENATE BILL NO. 347—SENATOR DONATE

MARCH 21, 2023

JOINT SPONSOR: ASSEMBLYMAN WATTS

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education.
(BDR 34-119)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to higher education; deconsolidating the Nevada System of Higher Education; separating the University of Nevada from the System; creating a board of trustees for each state college and community college; creating the Nevada Office of Higher Education Administrative Services; providing for the appointment of the Director and employees of the Office and each board of trustees; establishing the powers and duties of each board of trustees; establishing the composition of the University of Nevada and the System; revising the powers and duties of the Board of Regents of the University; revising provisions relating to the duties and responsibilities of certain officers within the University and the System; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Article 11 of the Nevada Constitution, which is known as the Education
- 2 Article, requires the Nevada Legislature to provide for the establishment of a State
- 3 University that is controlled by a Board of Regents whose duties are prescribed by
- 4 law. (Nev. Const. Art. 11, § 4) Existing law provides that the universities, state
- 5 colleges, community colleges, administrative services, research facilities and
- 6 departments within the Public Service Division, administered under the direction of
- 7 the Board of Regents of the University of Nevada, is collectively known as the
- 8 Nevada System of Higher Education. (NRS 396.020) This bill generally
- 9 deconsolidates the Nevada System of Higher Education by: (1) separating the



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universities which constitute the University of Nevada from the System; (2) establishing an individual board of trustees for each state college and community college in this State; and (3) creating the Nevada Office of Higher Education Administrative Services to take over certain functions of the System and to provide certain support to the University and the System.

Sections 54-56 of this bill provide that the State University, known as the University of Nevada and administered by the Board of Regents, consists of campuses known as the University of Nevada, Reno, the University of Nevada, Las Vegas and the Desert Research Institute and any research facilities established within those campuses, in addition to the Public Service Division. **Sections 51-53** of this bill: (1) create a board of trustees for each state college and community college within the System; (2) provide for the appointment by the Governor of the members of each board; and (3) establish the powers and duties of each board. **Sections 46-50** of this bill: (1) create the Nevada Office of Higher Education Administrative Services, which consists of a Director, a Deputy Director and certain divisions; (2) require the Governor to appoint the members of the Office and fix the salary of the Director; and (3) require the Office to provide certain administrative and technical support to the Board of Regents, individual boards of trustees of each state college and community college and the presidents of each institution within the University or System. **Section 56** provides that the Nevada System of Higher Education consists of the state colleges, community colleges and administrative services. **Section 54** defines the term "higher education governing body" to mean the Board of Regents of the University of Nevada and each board of trustees of a state college or community college.

Sections 1-43 and 57-234 of this bill amend various provisions of existing law specifically related to education consistent with the provisions of this bill which: (1) transfer the direction and control of state colleges and community colleges from the Board of Regents to individual boards of trustees for the state and community colleges; and (2) transfer certain other powers and duties to the Office, including, without limitation, provisions relating to certain education loans and scholarships. **Sections 235-463** of this bill similarly amend other provisions of existing law not specifically related to education. **Section 465** of this bill provides for the appointment of certain members to various boards, councils or commissions, consistent with the provisions of this bill, by the Governor, the Chief Justice of the Nevada Supreme Court and the Director of the Office. **Section 466** of this bill requires the Office and each higher education governing body to cooperate in carrying out the provisions of this bill. **Section 467** of this bill provides that any contract, lease or other agreement entered into by the System or the Board of Regents before July 1, 2024, and in effect after July 1, 2024, shall be deemed a contract, lease or agreement entered into with the University, System, Office or higher education governing body, as applicable, consistent with the provisions of this bill.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 385.021 is hereby amended to read as follows:
385.021 1. The State Board of Education is hereby created.
The State Board consists of the following voting members:
(a) One member elected by the registered voters of each congressional district described in the shapefile adopted by NRS 304.095;



(b) One member appointed by the Governor;
(c) One member appointed by the Governor, nominated by the Majority Leader of the Senate; and

(d) One member appointed by the Governor, nominated by the Speaker of the Assembly.

2. In addition to the voting members described in subsection 1, the State Board consists of the following ~~four~~ **five** nonvoting members:

(a) One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards;

(b) One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents;

(c) ~~One member~~ **Two members** appointed by the Governor ~~who~~ **, one of whom** represents the Nevada System of Higher Education, nominated by **the Director of the Nevada Office of Higher Education Administrative Services, and one of whom represents the University of Nevada, nominated by** the Board of Regents of the University of Nevada; and

(d) One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year.

3. Each member of the State Board elected pursuant to paragraph (a) of subsection 1 must be a qualified elector of the district from which that member is elected.

4. Each member appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 and each member appointed pursuant to subsection 2 must be a resident of this State.

5. Except as otherwise provided in paragraphs (a) and (c) of subsection 2, a person who is elected to serve as an officer of this State or any political subdivision thereof or a person appointed to serve for the unexpired term of such an office may not serve or continue to serve on the State Board.

6. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that:

(a) One member is a teacher at a public school selected from a list of three candidates provided by the Nevada State Education Association.

(b) One member is the parent or legal guardian of a pupil enrolled in a public school.



(c) One member is a person active in a private business or industry of this State.

7. After the initial terms, each member:

(a) Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years. A member may be elected to serve not more than three terms but may be appointed to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after service as an elected member, notwithstanding the number of terms the member served as an elected member.

(b) Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a term of 2 years, except that each member continues to serve until a successor is appointed. A member may be reappointed for additional terms of 2 years in the same manner as the original appointment.

(c) Appointed pursuant to subsection 2 serves a term of 1 year. A member may be reappointed for additional terms of 1 year in the same manner as the original appointment.

8. If a vacancy occurs during the term of:

(a) A member who was elected pursuant to paragraph (a) of subsection 1, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a qualified elector of the district where the vacancy occurs.

(b) A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

Sec. 2. NRS 385.106 is hereby amended to read as follows:

385.106 1. The Superintendent of Public Instruction may administer the Higher Education Student Loan Program and may consult with any public officer or private person in the State who may have an interest in higher education or in the Program. The Superintendent of Public Instruction shall notify the State Board at least 30 days in advance if the Superintendent intends to stop administering the Program.

2. After receiving notice from the Superintendent of Public Instruction that he or she intends to stop administering the Program, but before the Superintendent actually stops administering it, the State Board, with the concurrence of the Governor, shall designate another public agency or private nonprofit organization to administer the Program in a manner which ensures continued access to the Program by postsecondary schools in this State, including *the University of Nevada and* all of the institutions of the Nevada System of Higher Education. The designation may authorize assumption of any reserves or liability accruing to an agency or



organization engaged in administering the Program or the guarantee of student loans.

3. If the Superintendent of Public Instruction administers the Program, the State Board may:

(a) Negotiate and accept federal and other money appropriated and available to insure loans for student educational purposes under the Program.

(b) Negotiate and enter into such agreements with other agencies as it deems proper for the administration and conduct of the Program.

(c) Accept gifts, grants and contributions from any source that will facilitate and assist the higher education of Nevada residents.

Sec. 3. NRS 385.111 is hereby amended to read as follows:

385.111 1. The State Board shall prepare a plan to improve the achievement of pupils enrolled in the public schools in this State. The plan:

(a) Must be prepared in consultation with:

(1) Employees of the Department;

(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391A.130, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;

(2) Representatives of regional educational laboratories;

(3) Representatives of outside consultant groups;

(4) Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391A.120;

(5) The Legislative Bureau of Educational Accountability and Program Evaluation; and

(6) Other persons who the State Board determines are appropriate.

2. On or before March 31 of each year, the State Board shall submit the plan or the revised plan, as applicable, to the:

(a) Governor;

(b) Joint Interim Standing Committee on Education;

(c) Legislative Bureau of Educational Accountability and Program Evaluation;



(d) ~~{Board of Regents of the University of Nevada;}~~ *Nevada Office of Higher Education Administrative Services and each higher education governing body;*

(e) Board of trustees of each school district; and

(f) Governing body of each charter school.

3. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 4. NRS 385.620 is hereby amended to read as follows:

385.620 The Advisory Council shall:

1. Review the policy of parental involvement adopted by the State Board and the policy of parental involvement and family engagement adopted by the board of trustees of each school district pursuant to NRS 392.457;

2. Review the information relating to communication with and participation, involvement and engagement of parents and families that is included in the annual report of accountability for each school district pursuant to NRS 385A.320 and similar information in the annual report of accountability prepared by the State Public Charter School Authority and *the University of Nevada or* a college ~~for university}~~ within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.070;

3. Review any effective practices carried out in individual school districts to increase parental involvement and family engagement and determine the feasibility of carrying out those practices on a statewide basis;

4. Review any effective practices carried out in other states to increase parental involvement and family engagement and determine the feasibility of carrying out those practices in this State;

5. Identify methods to communicate effectively and provide outreach to parents, legal guardians and families of pupils who have limited time to become involved in the education of their children for various reasons, including, without limitation, work schedules, single-parent homes and other family obligations;

6. Identify the manner in which the level of parental involvement and family engagement affects the performance, attendance and discipline of pupils;

7. Identify methods to communicate effectively with and provide outreach to parents, legal guardians and families of pupils who are English learners;

8. Determine the necessity for the appointment of a statewide parental involvement and family engagement coordinator or a parental involvement and family engagement coordinator in each school district, or both;



9. Work in collaboration with the Office of Parental Involvement and Family Engagement created by NRS 385.630 to carry out the duties prescribed in NRS 385.635; and

10. On or before February 1 of each year, submit a report to the Director of the Legislative Counsel Bureau for transmission to the Legislature in odd-numbered years and to the Legislative Commission in even-numbered years, describing the activities of the Advisory Council and any recommendations for legislation.

Sec. 5. NRS 385A.070 is hereby amended to read as follows:

385A.070 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools sponsored by the school district. The board of trustees of each school district shall report the information required by NRS 385A.070 to 385A.320, inclusive, for each charter school sponsored by the school district. The information for charter schools must be reported separately.

2. The board of trustees of each school district shall, on or before December 31 of each year, prepare for the immediately preceding school year a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385A.070 to 385A.320, inclusive, and such other information as is directed by the Superintendent of Public Instruction. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.070 to 385A.320, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority and *the University of Nevada and* each college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school shall, on or before December 31 of each year, prepare for the immediately preceding school year an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority or institution, as applicable, concerning the accountability information prescribed by the Department



pursuant to this section. The Department, in consultation with the State Public Charter School Authority and *the University of Nevada* and each college ~~{or-university}~~ within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State Public Charter School Authority and institution, as applicable, which must include, without limitation, the information contained in subsection 2 and NRS 385A.070 to 385A.320, inclusive, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the Department.

4. The annual report of accountability prepared pursuant to this section must be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

Sec. 6. NRS 385A.080 is hereby amended to read as follows:

385A.080 1. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to NRS 385A.070 and provide the forms to the respective school districts, the State Public Charter School Authority and *the University of Nevada* and each college ~~{or-university}~~ within the Nevada System of Higher Education that sponsors a charter school.

(b) Provide statistical information and technical assistance to the school districts, the State Public Charter School Authority and *the University of Nevada* and each college ~~{or-university}~~ within the Nevada System of Higher Education that sponsors a charter school to ensure that the reports provide comparable information with respect to each school in each district, each charter school and among the districts and charter schools throughout this State.

(c) Consult with a representative of the:

- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Office of Finance;
- (6) Legislative Counsel Bureau; and
- (7) Charter School Association of Nevada,

↪ concerning the program adopted pursuant to subsection 1 of NRS 385A.070 and consider any advice or recommendations submitted by the representatives with respect to the program.

2. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program adopted pursuant to subsection 1 of NRS 385A.070 and consider any advice or



recommendations submitted by the representatives with respect to the program.

Sec. 7. NRS 385A.090 is hereby amended to read as follows:

385A.090 1. On or before September 30 of each year:

(a) The board of trustees of each school district, the State Public Charter School Authority and *the University of Nevada and* each college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school shall provide written notice that the report required pursuant to NRS 385A.070 is available on the Internet website maintained by the school district, State Public Charter School Authority or institution, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

(1) Governor;

(2) State Board;

(3) Department;

(4) Committee;

(5) Bureau; and

(6) The Attorney General, with a specific reference to the information that is reported pursuant to paragraph (e) of subsection 1 of NRS 385A.250.

(b) The board of trustees of each school district, the State Public Charter School Authority and *the University of Nevada and* each college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to NRS 385A.070 by posting a copy of the report on the Internet website maintained by the school district, the State Public Charter School Authority or the institution, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school sponsored by the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school sponsored by the district. If the State Public Charter School Authority or the institution does not maintain a website, the State Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.

2. Upon the request of the Governor, the Attorney General, an entity described in paragraph (a) of subsection 1 or a member of the general public, the board of trustees of a school district, the State



Public Charter School Authority or *the University of Nevada* or a college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school, as applicable, shall provide a portion or portions of the report required pursuant to NRS 385A.070.

Sec. 8. NRS 385A.240 is hereby amended to read as follows:

385A.240 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the attendance, truancy and transiency of pupils, including, without limitation:

(a) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school sponsored by the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(b) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033, 392.125 or 392.760, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(c) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. For the purposes of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(d) The number of habitual truants reported for each school in the district and for the district as a whole, including, without limitation, the number who are:

(1) Reported to an attendance officer, a school police officer or a local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144;

(2) Referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144; and



(3) Referred for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2 of NRS 392.144.

2. The information included pursuant to subsection 1 must allow such information to be disaggregated by:

- (a) Pupils who are economically disadvantaged;
- (b) Pupils from major racial and ethnic groups;
- (c) Pupils with disabilities;
- (d) Pupils who are English learners;
- (e) Pupils who are migratory children;
- (f) Gender;
- (g) Pupils who are homeless;
- (h) Pupils in foster care; and
- (i) Pupils whose parent or guardian is a member of the Armed

Forces of the United States, a reserve component thereof or the National Guard.

3. On or before September 30 of each year:

(a) The board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required by paragraph (a) of subsection 1.

(b) The State Public Charter School Authority and *the University of Nevada and* each college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the information regarding the records of the attendance and truancy of pupils enrolled in the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3 of NRS 385A.070.

Sec. 9. NRS 385A.260 is hereby amended to read as follows:

385A.260 The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the graduation and drop-out rates of pupils and the enrollment of pupils in remedial courses in college, including, without limitation:

1. For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, the number and percentage of pupils who received:

- (a) A standard high school diploma.
- (b) An adult diploma.
- (c) An adjusted diploma.
- (d) An alternative diploma.

2. For each high school in the district, including, without limitation, each charter school sponsored by the district that operates as a high school, information that provides a comparison of the rate of graduation of pupils enrolled in the high school with the rate of



1 graduation of pupils throughout the district and throughout this
2 State. The information required by this subsection must be provided
3 in consultation with the Department to ensure the accuracy of the
4 comparison.

5 3. The annual rate of pupils who drop out of school in grade 8
6 and a separate reporting of the annual rate of pupils who drop out of
7 school in grades 9 to 12, inclusive, for each such grade, for each
8 school in the district and for the district as a whole. The reporting
9 for pupils in grades 9 to 12, inclusive, excludes pupils who:

10 (a) Provide proof to the school district of successful completion
11 of the high school equivalency assessment selected by the State
12 Board pursuant to NRS 390.055.

13 (b) Are enrolled in courses that are approved by the Department
14 as meeting the requirements for an adult standard diploma.

15 (c) Withdraw from school to attend another school.

16 4. For each high school in the district, including, without
17 limitation, each charter school sponsored by the district, the
18 percentage of pupils who graduated from that high school or charter
19 school in the immediately preceding school year and enrolled in
20 remedial courses in reading, writing or mathematics at **the**
21 **University of Nevada or a ~~university,~~** state college or community
22 college within the Nevada System of Higher Education.

23 **Sec. 10.** NRS 385A.400 is hereby amended to read as follows:

24 385A.400 1. The State Board shall, on or before January 15
25 of each year, prepare for the immediately preceding school year a
26 single annual report of accountability that includes, without
27 limitation the information prescribed by NRS 385A.400 to
28 385A.520, inclusive.

29 2. A separate reporting for a group of pupils must not be made
30 pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of
31 pupils in that group is insufficient to yield statistically reliable
32 information or the results would reveal personally identifiable
33 information about an individual pupil. The Department shall use the
34 mechanism approved by the United States Department of Education
35 for the statewide system of accountability for public schools for
36 determining the minimum number of pupils that must be in a group
37 for that group to yield statistically reliable information.

38 3. The annual report of accountability must:

39 (a) Be prepared in a concise manner; and

40 (b) Be presented in an understandable and uniform format and,
41 to the extent practicable, provided in a language that parents can
42 understand.

43 4. On or before January 15 of each year, the State Board shall
44 provide for public dissemination of the annual report of



1 accountability by posting a copy of the report on the Internet
2 website maintained by the Department.

3 5. Upon the request of the Governor, the Attorney General, the
4 Committee, the Bureau, ~~the Board of Regents of the University of~~
5 ~~Nevada,~~ a higher education governing body, the Nevada Office of
6 Higher Education Administrative Services, the board of trustees of
7 a school district, the State Public Charter School Authority, the
8 University of Nevada, a college ~~for university~~ within the Nevada
9 System of Higher Education, the governing body of a charter school
10 or a member of the general public, the State Board shall provide a
11 portion or portions of the annual report of accountability.

12 6. As used in this section, “higher education governing body”
13 has the meaning ascribed to it in NRS 396.005.

14 Sec. 11. NRS 385A.470 is hereby amended to read as follows:

15 385A.470 The annual report of accountability prepared by the
16 State Board pursuant to NRS 385A.400 must include information on
17 the graduation and drop-out rates of pupils and the enrollment of
18 pupils in remedial courses in college, including, without limitation:

19 1. For each school district, including, without limitation, each
20 charter school in the district, and for this State as a whole, the
21 number and percentage of pupils who received:

- 22 (a) A standard high school diploma.
- 23 (b) An adult diploma.
- 24 (c) An adjusted diploma.
- 25 (d) An alternative diploma.

26 2. The annual rate of pupils who drop out of school in grade 8
27 and a separate reporting of the annual rate of pupils who drop out of
28 school in grades 9 to 12, inclusive, reported for each school district,
29 including, without limitation, each charter school in the district, and
30 for this State as a whole. The reporting for pupils in grades 9 to 12,
31 inclusive, excludes pupils who:

32 (a) Provide proof to the school district of successful completion
33 of the high school equivalency assessment selected by the State
34 Board pursuant to NRS 390.055.

35 (b) Are enrolled in courses that are approved by the Department
36 as meeting the requirements for an adult standard diploma.

37 (c) Withdraw from school to attend another school.

38 3. The percentage of pupils who graduated from a high school
39 or charter school in the immediately preceding year and enrolled in
40 remedial courses in reading, writing or mathematics at the
41 University of Nevada or a ~~university,~~ state college or community
42 college within the Nevada System of Higher Education, reported for
43 each school district, including, without limitation, each charter
44 school in the district, and for this State as a whole.



Sec. 12. NRS 385A.670 is hereby amended to read as follows:

385A.670 1. On or before July 31 of each year, the Department shall determine whether each public school is meeting the school achievement targets and performance targets established pursuant to the statewide system of accountability for public schools.

2. The determination pursuant to subsection 1 for a public school, including, without limitation, a charter school sponsored by the board of trustees of the school district, must be made in consultation with the board of trustees of the school district in which the public school is located. If a charter school is sponsored by the State Public Charter School Authority or *the University of Nevada* or a college ~~for university~~ within the Nevada System of Higher Education, the Department shall make a determination for the charter school in consultation with the State Public Charter School Authority or the institution within *the University of Nevada* or the Nevada System of Higher Education that sponsors the charter school, as applicable. The determination made for each school must be based only upon the information and data for those pupils who are enrolled in the school for a full academic year. On or before July 31 of each year, the Department shall transmit:

(a) Except as otherwise provided in paragraph (b) or (c), the determination made for each public school to the board of trustees of the school district in which the public school is located.

(b) To the State Public Charter School Authority the determination made for each charter school that is sponsored by the State Public Charter School Authority.

(c) The determination made for the charter school to the institution that sponsors the charter school if a charter school is sponsored by *the University of Nevada* or a college ~~for university~~ within the Nevada System of Higher Education.

3. If the number of pupils in a particular group who are enrolled in a public school is insufficient to yield statistically reliable information:

(a) The Department shall not determine that the school has failed to meet the performance targets established pursuant to the statewide system of accountability for public schools based solely upon that particular group.

(b) The pupils in such a group must be included in the overall count of pupils enrolled in the school who took the examinations.

➔ The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the number of pupils that must be in a group for that group to yield statistically reliable information.



4. If an irregularity in testing administration or an irregularity in testing security occurs at a school and the irregularity invalidates the test scores of pupils, those test scores must be included in the scores of pupils reported for the school, the attendance of those pupils must be counted towards the total number of pupils who took the examinations and the pupils must be included in the total number of pupils who were required to take the examinations.

5. As used in this section:

(a) “Irregularity in testing administration” has the meaning ascribed to it in NRS 390.255.

(b) “Irregularity in testing security” has the meaning ascribed to it in NRS 390.260.

Sec. 13. NRS 385A.720 is hereby amended to read as follows:

385A.720 1. Except as otherwise provided in subsection 3:

(a) Based upon the information received from the Department pursuant to NRS 385A.670, the board of trustees of each school district shall, on or before August 15 of each year, issue a preliminary rating for each public school in the school district in accordance with the statewide system of accountability for public schools, excluding charter schools sponsored by the State Public Charter School Authority or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education.

(b) The board of trustees shall make preliminary ratings for all charter schools that are sponsored by the board of trustees.

(c) The Department shall make preliminary ratings for all charter schools sponsored by the State Public Charter School Authority and all charter schools sponsored by *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education.

2. Except as otherwise provided in subsection 3:

(a) Before making a final rating for a school, the board of trustees of the school district or the Department, as applicable, shall provide the school an opportunity to review the data upon which the preliminary rating is based and to present evidence.

(b) If the school is a public school of the school district or a charter school sponsored by the board of trustees, the board of trustees of the school district shall, in consultation with the Department, make a final determination concerning the rating for the school on September 15.

(c) If the school is a charter school sponsored by the State Public Charter School Authority or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, the Department shall make a final determination concerning the rating for the school on September 15.



3. The Department may temporarily waive or otherwise pause the requirement to make ratings for public schools that comply with 20 U.S.C. § 6311(c) pursuant to this section if the United States Department of Education grants a waiver from or otherwise pauses the requirements of 20 U.S.C. § 6311(c).

4. On or before September 15 of each year, the Department shall post on the Internet website maintained by the Department the determinations and final ratings made for all schools in this State.

Sec. 14. NRS 385A.800 is hereby amended to read as follows:

385A.800 1. The Department shall establish and maintain an automated system of accountability information for Nevada. The system must:

(a) Have the capacity to provide and report information, including, without limitation, the results of the achievement of pupils:

(1) In the manner required by 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, and NRS 385A.070 and 385A.400; and

(2) In a separate reporting for each group of pupils identified in the statewide system of accountability for public schools;

(b) Include a system of unique identification for each pupil:

(1) To ensure that individual pupils may be tracked over time throughout this State;

(2) That, to the extent practicable, may be used for purposes of identifying a pupil for both the public schools and the **University of Nevada or** Nevada System of Higher Education, if that pupil enrolls in the **University or** System after graduation from high school; and

(3) Which must, to the extent money is available for this purpose, include, without limitation, a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard in a manner that will allow for the disaggregation of each category;

(c) Have the capacity to provide longitudinal comparisons of the academic achievement, rate of attendance and rate of graduation of pupils over time throughout this State;

(d) Have the capacity to perform a variety of longitudinal analyses of the results of individual pupils on assessments, including, without limitation, the results of pupils by classroom and by school;

(e) Have the capacity to identify which teachers are assigned to individual pupils;

(f) Have the capacity to provide other information concerning schools and school districts that is not linked to individual pupils,



1 including, without limitation, the ratings of schools and, if available,
2 school districts pursuant to the statewide system of accountability
3 for public schools and an identification of which schools, if any, are
4 persistently dangerous;

5 (g) Have the capacity to access financial accountability
6 information for each public school, including, without limitation,
7 each charter school, for each school district and for this State as a
8 whole; and

9 (h) Be designed to improve the ability of the Department, the
10 sponsors of charter schools, the school districts and the public
11 schools in this State, including, without limitation, charter schools,
12 to account for the pupils who are enrolled in the public schools,
13 including, without limitation, charter schools.

14 ➤ The information maintained pursuant to paragraphs (c), (d) and
15 (e) must be used for the purpose of improving the achievement of
16 pupils and improving classroom instruction.

17 2. The Department shall establish, to the extent authorized by
18 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
19 1232g, and any regulations adopted pursuant thereto, a mechanism
20 by which persons or entities, including, without limitation, state
21 officers who are members of the Executive or Legislative Branch,
22 administrators of public schools and school districts, teachers and
23 other educational personnel, and parents and guardians, will have
24 different types of access to the accountability information contained
25 within the automated system to the extent that such information is
26 necessary for the performance of a duty or to the extent that such
27 information may be made available to the general public without
28 posing a threat to the confidentiality of an individual pupil.

29 3. On or before December 31 of each year, the Department
30 shall share with the Interagency Council on Veterans Affairs
31 aggregate data collected pursuant to subsection 1 concerning each
32 pupil whose parent or guardian is a member of the Armed Forces of
33 the United States, a reserve component thereof or the National
34 Guard.

35 4. The Department may, to the extent authorized by the Family
36 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,
37 and any regulations adopted pursuant thereto, enter into an
38 agreement with *the University of Nevada or* the Nevada System of
39 Higher Education , *or both*, to provide access to data contained
40 within the automated system for research purposes.

41 **Sec. 15.** NRS 388.205 is hereby amended to read as follows:

42 388.205 1. The board of trustees of each school district shall
43 adopt a policy for each public school in the school district in which
44 ninth grade pupils are enrolled to develop a 4-year academic plan
45 for each of those pupils. Except as otherwise provided in



subsection 4, the policy must require each public school to provide each pupil with an academic plan at the beginning of the pupil's ninth grade year. The academic plan must set forth the specific educational goals established pursuant to subsection 7 each year and the steps that the pupil intends to take in order to achieve those goals. The plan may include, without limitation, the designation of a career pathway and enrollment in dual credit courses, career and technical education courses, advanced placement courses and honors courses.

2. The policy must ensure that each pupil enrolled in ninth grade and the pupil's parent or legal guardian are provided with, to the extent practicable, information regarding:

(a) The advanced placement courses, honors courses, international baccalaureate courses, dual credit courses, career and technical education courses, including, without limitation, career and technical skills-building programs, and any other educational programs, pathways or courses available to the pupil which will assist the pupil in the advancement of his or her education;

(b) The requirements for graduation from high school with a diploma and the types of diplomas available;

(c) The requirements for admission to *the University of Nevada* and the Nevada System of Higher Education, including, without limitation, the average score on the college and career readiness assessment administered pursuant to NRS 390.610 of students admitted to *the University of Nevada and* each community college ~~H or~~ state college ~~for university~~ in the Nevada System of Higher Education, and the eligibility requirements for a Governor Guinn Millennium Scholarship;

(d) The Free Application for Federal Student Aid and advice concerning how to finance enrollment in an institution that provides postsecondary and vocational education; and

(e) The charter schools within the school district.

3. The policy required by subsection 1 must require each pupil enrolled in ninth grade and the pupil's parent or legal guardian to:

(a) Be notified of opportunities to work in consultation with a school counselor to develop and review an academic plan for the pupil;

(b) Sign the academic plan; and

(c) Review the academic plan at least once each school year in consultation with a school counselor and revise the plan if necessary.

4. If a pupil enrolls in a high school after ninth grade, an academic plan must be developed for that pupil as soon as reasonably practicable with appropriate modifications for the grade level of the pupil.



5. If an academic plan for a pupil includes enrollment in a dual credit course, the plan must address how the dual credit course will enable the pupil to achieve his or her postgraduation goals.

6. An academic plan for a pupil must be used as a guide for the pupil and the parent or legal guardian of the pupil to plan, monitor and manage the pupil's educational and occupational development and make determinations of the appropriate courses of study for the pupil. If a pupil does not satisfy all the goals set forth in the academic plan, the pupil is eligible to graduate and receive a high school diploma if the pupil otherwise satisfies the requirements for a diploma.

7. Except as otherwise provided in subsection 4, a school counselor shall establish specific educational goals for each pupil in consultation with the pupil and the parent or legal guardian of the pupil, to the extent practicable, at the beginning of each pupil's ninth grade year and as a part of the review conducted pursuant to paragraph (c) of subsection 3.

8. The policy adopted pursuant to subsection 1 must require each public school in the school district to:

(a) Develop a procedure to identify a homeless pupil, unaccompanied pupil or pupil who lives in foster care; and

(b) Review the academic plan for each such pupil and adjust the plan as appropriate to maximize the accrual of credits by the pupil and the progress of the pupil towards graduation.

9. As used in this section:

(a) "Foster care" has the meaning ascribed to it in 45 C.F.R. § 1355.20.

(b) "Homeless pupil" has the meaning ascribed to the term "homeless children and youths" in 42 U.S.C. § 11434a(2).

(c) "Unaccompanied pupil" has the meaning ascribed to the term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

Sec. 16. NRS 388.5968 is hereby amended to read as follows:

388.5968 The State Financial Literacy Advisory Council created by NRS 388.5966 shall:

1. Develop a strategic plan for the development of educational resources in financial literacy to serve as a foundation for professional development for pupils;

2. Identify learning activities targeted toward the standards and criteria of a curriculum in financial literacy;

3. Develop and facilitate, in coordination with the Department:

(a) The Financial Literacy Month, including, without limitation, Student Smart Week, Money Week and the parent and family engagement summit established pursuant to NRS 388.5964; and

(b) The annual summit for educators established pursuant to NRS 391A.210;



4. In accordance with NRS 388.5962, develop the criteria a pupil must meet to be awarded the State Seal of Financial Literacy;

5. Apply for grants, gifts and donations of money to carry out the objectives of the Council; and

6. Prepare a written report which includes, without limitation, recommendations concerning the instruction and curriculum in financial literacy and the activities of the Council and, on or before January 31 of each even-numbered year, submit a copy of the report to the Superintendent of Public Instruction, the Chancellor of the *University of Nevada* ~~{System of Higher Education,}~~ *, each higher education governing body, as defined in NRS 396.005*, the Joint Interim Standing Committee on Education and the Governor.

Sec. 17. NRS 388.790 is hereby amended to read as follows:

388.790 1. The Commission on Educational Technology, consisting of 2 members who serve ex officio and 11 members who are appointed, is hereby created. The Superintendent of Public Instruction and the Administrator of the Division of Enterprise Information Technology Services of the Department of Administration shall serve ex officio as nonvoting members of the Commission.

2. The Governor shall appoint the following voting members to the Commission, at least two of whom must reside in a county whose population is less than 100,000:

(a) One administrator in a public school who possesses knowledge and experience in the general application of technology;

(b) One school teacher in a public elementary school who possesses knowledge and experience in the use of educational technology in the public schools;

(c) One school teacher in a public secondary school who possesses knowledge and experience in the use of educational technology in the public schools;

(d) One representative of public libraries who possesses knowledge and experience in the general application of technology;

(e) One representative of *the University of Nevada or* the Nevada System of Higher Education who possesses knowledge and experience in the use of educational technology in institutions of higher education;

(f) One representative of the private sector who possesses knowledge and experience in the use of technology; and

(g) One parent or legal guardian who possesses knowledge and experience in the general application of technology.

3. The Majority Leader of the Senate shall appoint two voting members to the Commission:

(a) One of whom is a member of the Senate; and

(b) One of whom is employed in the field of technology.



4. The Speaker of the Assembly shall appoint two voting members to the Commission:

(a) One of whom is a member of the Assembly; and

(b) One of whom is employed in the field of technology.

5. The Governor shall appoint a Chair among the voting members of the Commission.

6. After the initial terms, the term of each member of the Commission is 2 years, commencing on January 1 of the year in which the member is appointed and expiring on December 31 of the immediately following year. A member shall continue to serve on the Commission until his or her successor is appointed. Upon the expiration of a term of a member, he or she may be reappointed if he or she still possesses any requisite qualifications for appointment. There is no limit on the number of terms that a member may serve.

7. The person or entity who appoints a member to the Commission may remove that member if the member neglects his or her duty or commits malfeasance in office, or for other just cause. Any vacancy in the membership of the Commission must be filled for the remainder of the unexpired term in the same manner as the original appointment.

8. The Commission shall hold at least four regular meetings each year and may hold special meetings at the call of the Chair.

9. Members of the Commission who are not Legislators serve without compensation, except that for each day or portion of a day during which a member of the Commission attends a meeting of the Commission or is otherwise engaged in the business of the Commission, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. For each day or portion of a day during which a member of the Commission who is a Legislator attends a meeting of the Commission or is otherwise engaged in the work of the Commission, except during a regular or special session of the Legislature, the Legislator is entitled to receive the:

(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to NRS 218A.655.

➔ The compensation, per diem allowances and travel expenses of the legislative members of the Commission must be paid from the Legislative Fund.



Sec. 18. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

(a) Plans that have been adopted by the Department and the school districts and charter schools in this State;

(b) Plans that have been adopted in other states;

(c) The information reported pursuant to NRS 385A.310 and similar information included in the annual report of accountability information prepared by the State Public Charter School Authority and **the University of Nevada or** a college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.070;

(d) The results of the assessment of needs conducted pursuant to subsection 6; and

(e) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

(a) Incorporate educational technology into the public schools of this State;

(b) Increase the number of pupils in the public schools of this State who have access to educational technology;

(c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements of continuing education, including, without limitation, the receipt of credit for college courses completed through the use of educational technology;

(d) Facilitate the exchange of ideas to improve the achievement of pupils who are enrolled in the public schools of this State; and

(e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, without limitation, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

3. The Department shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

↪ as is necessary for the Commission to carry out the provisions of this section.

4. The following entities shall cooperate with the Commission in carrying out the provisions of this section:

(a) The State Board.

(b) The board of trustees of each school district.

(c) The superintendent of schools of each school district.



(d) The Department.

5. The Commission shall:

(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto, including, without limitation, uniform specifications for computer hardware and wiring, to ensure that such technology is compatible, uniform and can be interconnected throughout the public schools of this State.

(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 388.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.

(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the Commission to:

(1) Repair, replace and maintain computer systems.

(2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the Committee and the Department its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee or the Department.

(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee and the Department as the Commission deems necessary.

6. During the spring semester of each even-numbered school year, the Commission shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the Commission shall consider:

(a) The recommendations set forth in the plan pursuant to subsection 2;

(b) The plan for educational technology of each school district, if applicable;

(c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and

(d) Any other information deemed relevant by the Commission.

➔ The Commission shall submit a final written report of the assessment to the Superintendent of Public Instruction on or before April 1 of each even-numbered year.

7. The Superintendent of Public Instruction shall prepare a written compilation of the results of the assessment conducted by



1 the Commission and transmit the written compilation on or before
2 June 1 of each even-numbered year to the Committee and to the
3 Director of the Legislative Counsel Bureau for transmission to the
4 next regular session of the Legislature.

5 8. The Commission may appoint an advisory committee
6 composed of members of the Commission or other qualified persons
7 to provide recommendations to the Commission regarding standards
8 for the establishment, coordination and use of a telecommunications
9 network in the public schools throughout the various school districts
10 in this State. The advisory committee serves at the pleasure of the
11 Commission and without compensation unless an appropriation or
12 other money for that purpose is provided by the Legislature.

13 9. As used in this section, “public school” includes the Caliente
14 Youth Center, the Nevada Youth Training Center and any other
15 state facility for the detention of children that is operated pursuant to
16 title 5 of NRS.

17 **Sec. 19.** NRS 388.834 is hereby amended to read as follows:

18 388.834 1. The Department shall prepare and publish a list of
19 courses of distance education that satisfy the requirements of NRS
20 388.820 to 388.874, inclusive, and all other applicable statutes and
21 regulations. If an application to provide a program of distance
22 education is approved pursuant to NRS 388.838, the Department
23 shall automatically include on the list each course of study included
24 within that program if the course of study had not been approved
25 pursuant to this section before submission of the application to
26 provide the program.

27 2. A person or entity that has developed a course of distance
28 education, including, without limitation, a vendor of a course of
29 distance education, *the University of Nevada or* the Nevada System
30 of Higher Education or other postsecondary educational institution,
31 a board of trustees of a school district or a governing body of a
32 charter school, may submit an application for inclusion of the course
33 on the list prepared by the Department. The Department shall
34 approve an application if the application satisfies the requirements
35 of NRS 388.820 to 388.874, inclusive, and all other applicable
36 statutes and regulations. The Department shall provide written
37 notice to the applicant of its approval or denial of the application.

38 3. If the Department denies an application, the Department
39 shall include in the written notice the reasons for the denial and the
40 deficiencies of the application. The applicant must be granted 30
41 days after receipt of the written notice to correct any deficiencies
42 identified in the written notice and resubmit the application. The
43 Department shall approve an application that has been resubmitted
44 pursuant to this subsection if the application satisfies the



requirements of NRS 388.820 to 388.874, inclusive, and all other applicable statutes and regulations.

Sec. 20. NRS 388A.105 is hereby amended to read as follows:

388A.105 The Department shall adopt regulations that prescribe:

1. The process for submission of an application pursuant to NRS 388A.220 by the board of trustees of a school district or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education to the Department for authorization to sponsor charter schools, the contents of the application, the process for the Department to review the application and the timeline for review;

2. The process for submission of an application to form a charter school to the board of trustees of a school district and *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, and the contents of the application;

3. The process for submission of an application to renew a charter contract to the board of trustees of a school district and *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, and the contents of the application;

4. The criteria and type of investigation that must be applied by the board of trustees of a school district and *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education in determining whether to approve an application to form a charter school, an application to renew a charter contract or a request for an amendment of a charter contract;

5. The process for submission of an amendment of a charter contract to the board of trustees of a school district and *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education pursuant to NRS 388A.276 and the contents of the application; and

6. In consultation with the State Public Charter School Authority, other sponsors of charter schools, governing bodies of charter schools and persons who may be affected:

(a) Requirements for the annual independent audits of charter schools, including, without limitation, required training for prospective auditors on the expectations and scope of the audits; and

(b) Ethics requirements for the governing bodies of charter schools.

Sec. 21. NRS 388A.159 is hereby amended to read as follows:

388A.159 1. The State Public Charter School Authority is hereby deemed a local educational agency for all purposes, including, without limitation:



(a) The provision of a free and appropriate public education to each pupil enrolled in a charter school sponsored by the State Public Charter School Authority;

(b) The provision of special education and related services provided by a charter school sponsored by the State Public Charter School Authority; and

(c) Directing the proportionate share of any money available from federal and state categorical grant programs to charter schools which are sponsored by the State Public Charter School Authority or *the University of Nevada or* a college ~~for-university~~ within the Nevada System of Higher Education that are eligible to receive such money.

2. ~~[A]~~ *The University of Nevada or* a college ~~for-university~~ within the Nevada System of Higher Education that sponsors a charter school shall enter into an agreement with the State Public Charter School Authority for the provision of any necessary functions of a local educational agency. A charter school that receives money pursuant to such a grant program shall comply with any applicable reporting requirements to receive the grant.

3. As used in this section, “local educational agency” has the meaning ascribed to it in 20 U.S.C. § 7801(30)(A).

Sec. 22. NRS 388A.171 is hereby amended to read as follows:
388A.171 The State Public Charter School Authority shall:

1. Before March 1 of each even-numbered year:

(a) In consultation with the Department and each board of trustees of a school district and *the University of Nevada and each* college ~~for-university~~ within the Nevada System of Higher Education that sponsors a charter school, review all statutes and regulations from which charter schools are not exempt and determine whether such statutes and regulations assisted or impeded the charter schools in achieving their academic, fiscal and organizational goals and objectives;

(b) Make recommendations to the Joint Interim Standing Committee on Education concerning any legislation that would assist charter schools in achieving their academic, fiscal and organizational goals; and

(c) Make recommendations to the State Board and the Department concerning any changes to regulations that would assist charter schools in achieving their academic, fiscal and organizational goals.

2. Make available information concerning the formation and operation of charter schools in this State and the academic, fiscal and organizational performance of each charter school in this State to pupils, parents and legal guardians of pupils, teachers and other educational personnel and members of the general public. The State



Public Charter School Authority shall update such information annually.

Sec. 23. NRS 388A.220 is hereby amended to read as follows:

388A.220 1. The board of trustees of a school district may apply to the Department for authorization to sponsor charter schools within the school district in accordance with the regulations adopted by the Department pursuant to NRS 388A.105 or 388A.110. An application must be approved by the Department before the board of trustees may sponsor a charter school. Not more than 180 days after receiving approval to sponsor charter schools, the board of trustees shall provide public notice of its ability to sponsor charter schools and solicit applications for charter schools.

2. The State Public Charter School Authority shall sponsor charter schools whose applications have been approved by the State Public Charter School Authority pursuant to NRS 388A.255. Except as otherwise provided by specific statute, if the State Public Charter School Authority sponsors a charter school, the State Public Charter School Authority is responsible for the evaluation, monitoring and oversight of the charter school.

3. ~~LA~~ *The University of Nevada or a college* ~~for university~~ within the Nevada System of Higher Education may submit an application to the Department to sponsor charter schools in accordance with the regulations adopted by the Department pursuant to NRS 388A.105 or 388A.110. An application must be approved by the Department before *the University of Nevada or a college* ~~for university~~ within the Nevada System of Higher Education may sponsor charter schools.

4. The board of trustees of a school district or *the University of Nevada or a college* ~~for university~~ within the Nevada System of Higher Education may enter into an agreement with the State Public Charter School Authority to provide technical assistance and support in preparing an application to sponsor a charter school and planning and executing the duties of a sponsor of a charter school as prescribed in this section.

5. Before a board of trustees of a school district or *the University of Nevada or a college* ~~for university~~ within the Nevada System of Higher Education that is approved to sponsor charter schools approves an application to form a charter school, the board of trustees or college or university, as applicable, shall prepare, in collaboration with the Department and, to the extent practicable, the school district in which the proposed charter school will be located and any other sponsor of a charter school located in that school district, an evaluation of demographic information of pupils, the academic needs of pupils and the needs of any pupils who are at risk



1 of dropping out of school in the geographic areas served by the
2 sponsor.

3 6. On or before January 31 of each year, the State Public
4 Charter School Authority shall prepare, in collaboration with the
5 Department and, to the extent practicable, the board of trustees of
6 each school district in this State and any other sponsor of a charter
7 school in this State, an evaluation of demographic information of
8 pupils, the academic needs of pupils and the needs of any pupils
9 who are at risk of dropping out of school in this State.

10 **Sec. 24.** NRS 388A.229 is hereby amended to read as follows:

11 388A.229 1. The sponsor of a charter school shall ensure the
12 collection, analysis and reporting of all data from the results of
13 pupils enrolled in the charter school on statewide examinations to
14 determine whether the charter school is meeting the performance
15 indicators, measures and metrics for the achievement and
16 proficiency of pupils as set forth in the performance framework for
17 the charter school in a manner that complies with all applicable
18 federal and state laws.

19 2. The sponsor of the charter school may aggregate data
20 reported by the State and collected by the sponsor concerning pupil
21 achievement and school performance at separate facilities operated
22 by the same governing body or charter management organization
23 and across all grades served by the charter school for the purpose of
24 evaluating and reporting pupil achievement and school performance.
25 Such an aggregation of data may include, without limitation, a
26 weighted average of data concerning pupil achievement and school
27 performance of each elementary school, junior high school, middle
28 school or high school program operated by the charter school. The
29 sponsor may also disaggregate such data by facility and by grade
30 level or group of grade levels to provide greater transparency and
31 accountability. The sponsor may also adopt policies for determining
32 pupil achievement and school performance at a charter school. Any
33 data reported pursuant to this subsection must be reported in a
34 manner that complies with the Family Educational Rights and
35 Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations
36 adopted pursuant thereto.

37 3. The State Board may adopt regulations to place
38 requirements on the manner in which data is reported by the board
39 of trustees of a school district or *the University of Nevada or a*
40 college ~~{or university}~~ within the Nevada System of Higher
41 Education that sponsors a charter school including, without
42 limitation, the manner in which data must be aggregated or
43 disaggregated in any report.

44 4. The State Public Charter School Authority may adopt
45 regulations establishing requirements concerning the manner in



1 which it reports data, including, without limitation, the manner in
2 which data must be aggregated or disaggregated in any report.

3 **Sec. 25.** NRS 388A.240 is hereby amended to read as follows:

4 388A.240 1. A committee to form a charter school must
5 consist of:

6 (a) One member who is a teacher or other person licensed
7 pursuant to chapter 391 of NRS or who previously held such a
8 license and is retired, as long as his or her license was held in good
9 standing;

10 (b) One member who:

11 (1) Satisfies the qualifications of paragraph (a); or

12 (2) Is a school administrator with a license issued by another
13 state or who previously held such a license and is retired, as long as
14 his or her license was held in good standing;

15 (c) One parent or legal guardian who is not a teacher or
16 employee of the proposed charter school; and

17 (d) Two members who possess knowledge and expertise in one
18 or more of the following areas:

19 (1) Accounting;

20 (2) Financial services;

21 (3) Law; or

22 (4) Human resources.

23 2. In addition to the members who serve pursuant to subsection
24 1, the committee to form a charter school may include, without
25 limitation, not more than four additional members as follows:

26 (a) Members of the general public;

27 (b) Representatives of nonprofit organizations and businesses;
28 or

29 (c) Representatives of *the University of Nevada* or a college ~~for~~
30 ~~university~~ within the Nevada System of Higher Education.

31 3. A majority of the persons who serve on the committee to
32 form a charter school must be residents of this State at the time that
33 the application to form the charter school is submitted to the
34 Department.

35 4. As used in subsection 1, “teacher” means a person who:

36 (a) Holds a current license to teach issued pursuant to chapter
37 391 of NRS or who previously held such a license and is retired, as
38 long as his or her license was held in good standing; and

39 (b) Has at least 2 years of experience as an employed teacher.

40 ➔ The term does not include a person who is employed as a
41 substitute teacher.

42 **Sec. 26.** NRS 388A.252 is hereby amended to read as follows:

43 388A.252 1. If the board of trustees of a school district or *the*
44 *University of Nevada* or a college ~~for a university~~ within the
45 Nevada System of Higher Education, as applicable, receives an



1 application to form a charter school, the board of trustees or the
2 institution, as applicable, shall consider the application at a meeting
3 that must be held not later than 60 days after the receipt of the
4 application, or a later period mutually agreed upon by the committee
5 to form the charter school and the board of trustees of the school
6 district or the institution, as applicable, and ensure that notice of the
7 meeting has been provided pursuant to chapter 241 of NRS. The
8 board of trustees, the college or the university, as applicable, shall
9 review an application in accordance with the requirements for
10 review set forth in subsections 2 and 3 of NRS 388A.249.

11 2. The board of trustees, the college or the university, as
12 applicable, may approve an application if the requirements of
13 subsection 3 of NRS 388A.249 are satisfied.

14 3. The board of trustees, the college or the university, as
15 applicable, shall provide written notice to the applicant of its
16 approval or denial of the application. If the board of trustees, the
17 college or the university, as applicable, denies an application, it shall
18 include in the written notice the reasons for the denial and the
19 deficiencies. The applicant must be granted 30 days after receipt of
20 the written notice to correct any deficiencies identified in the written
21 notice and resubmit the application.

22 4. If the board of trustees, the college or the university, as
23 applicable, denies an application after it has been resubmitted
24 pursuant to subsection 3, the applicant may submit a written request
25 for sponsorship by the State Public Charter School Authority not
26 more than 30 days after receipt of the written notice of denial. Any
27 request that is submitted pursuant to this subsection must be
28 accompanied by the application to form the charter school.

29 **Sec. 27.** NRS 388A.258 is hereby amended to read as follows:

30 388A.258 Notwithstanding the provisions of NRS 388A.249,
31 388A.252 and 388A.255, the State Public Charter School Authority
32 may adopt regulations establishing timelines and procedures by
33 which the State Public Charter School Authority will review
34 applications and the board of trustees of a school district that is
35 approved to sponsor charter schools or *the University of Nevada or*
36 a college ~~for university~~ within the Nevada System of Higher
37 Education that is approved to sponsor charter schools may adopt
38 policies establishing timelines and procedures by which the board of
39 trustees or college or university, as applicable, will review
40 applications. These regulations or policies may:

41 1. Establish different timelines and review procedures for
42 different types of applicants; and

43 2. Authorize or require an applicant to submit an abbreviated
44 application, the contents of such an application and criteria that the
45 State Public Charter School Authority will use to determine whether



to invite the applicant to submit a full application that meets the requirements of NRS 388A.243 and 388A.246 or deny the abbreviated application and recommend that the applicant make substantial revisions and submit the application during another application cycle.

Sec. 28. NRS 388A.270 is hereby amended to read as follows:

388A.270 1. If the proposed sponsor of a charter school approves an application to form a charter school, it shall negotiate, develop and execute a charter contract with the governing body of the charter school. A charter contract must be executed not later than 60 days before the charter school commences operation. The charter contract must be in writing and incorporate, without limitation:

(a) The performance framework for the charter school;

(b) A description of the administrative relationship between the sponsor of the charter school and the governing body of the charter school, including, without limitation, the rights and duties of the sponsor and the governing body; and

(c) Any pre-opening conditions which the sponsor has determined are necessary for the charter school to satisfy before the commencement of operation to ensure that the charter school meets all building, health, safety, insurance and other legal requirements.

2. The charter contract must be signed by a member of the governing body of the charter school and:

(a) If the board of trustees of a school district is the sponsor of the charter school, the superintendent of schools of the school district;

(b) If the State Public Charter School Authority is the sponsor of the charter school, the Chair of the State Public Charter School Authority; or

(c) If *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education is the sponsor of the charter school, the president of the college or university.

3. Before the charter contract is executed, the sponsor of the charter school must approve the charter contract at a meeting of the sponsor held in accordance with chapter 241 of NRS.

4. The sponsor of the charter school shall, not later than 10 days after the execution of the charter contract, provide to the Department:

(a) Written notice of the charter contract and the date of execution; and

(b) A copy of the charter contract and any other documentation relevant to the charter contract.

5. If the board of trustees approves the application, the board of trustees shall be deemed the sponsor of the charter school.



6. If the State Public Charter School Authority approves the application:

(a) The State Public Charter School Authority shall be deemed the sponsor of the charter school.

(b) Neither the State of Nevada, the State Board, the State Public Charter School Authority nor the Department is an employer of the members of the governing body of the charter school or any of the employees of the charter school.

7. If *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education approves the application:

(a) That institution shall be deemed the sponsor of the charter school.

(b) Neither the State of Nevada, the State Board nor the Department is an employer of the members of the governing body of the charter school or any of the employees of the charter school.

8. Except as otherwise provided in NRS 388A.285, a charter contract must be for a term of 6 years. The term of the charter contract begins on the first day of operation of the charter school after the charter contract has been executed. The sponsor of the charter school may require, or the governing body of the charter school may request that the sponsor authorize, the charter school to delay commencement of operation for 1 school year.

Sec. 29. NRS 388A.279 is hereby amended to read as follows:

388A.279 1. The State Public Charter School Authority, the board of trustees of the school district or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, as applicable, which sponsors a charter school may hold a public hearing concerning any request to amend a charter contract of the charter school it sponsors, including, without limitation, a request to amend a charter contract for the purpose of:

(a) Expanding the charter school to offer instruction in grade levels for which the charter school does not already offer instruction.

(b) Increasing the total enrollment of a charter school or the enrollment of pupils in a particular grade level in the charter school for a school year to more than 120 percent of the enrollment prescribed in the charter contract for that school year.

(c) Reducing the total enrollment of a charter school or the enrollment of pupils in a particular grade level in the charter school for a school year to less than 80 percent of the enrollment prescribed in the charter contract for that school year.

(d) Seeking to acquire an additional facility in any county of this State to expand the enrollment of the charter school.



(e) Consolidating the operations of multiple charter schools pursuant to NRS 388A.282.

2. A charter contract may not be amended in any manner described in subsection 1 unless the amendment is approved by the State Public Charter School Authority, the board of trustees of the school district or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, as applicable.

3. The State Public Charter School Authority, the board of trustees of the school district or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, as applicable, must deny a request to amend a charter contract in the manner described in paragraph (d) or (e) of subsection 1 if the State Public Charter School Authority, the board of trustees or ~~the~~ college or university, ~~{within the Nevada System of Higher Education,}~~ as applicable, determines that:

(a) Except as otherwise provided in subsection 6 of NRS 388A.274, the charter school is not meeting the requirements of the performance framework concerning academics, finances or organization established pursuant to NRS 388A.273; or

(b) The governing body does not have a comprehensive and feasible plan to operate additional facilities.

Sec. 30. NRS 388A.378 is hereby amended to read as follows:

388A.378 1. The governing body of a charter school may contract with the board of trustees of the school district in which the charter school is located or in which a pupil enrolled in the charter school resides or with ~~{the Nevada System of Higher Education,}~~ *a higher education governing body* for the provision of facilities to operate the charter school or to perform any service relating to the operation of the charter school, including, without limitation, transportation, the provision of health services for the pupils who are enrolled in the charter school and the provision of school police officers. If the board of trustees of a school district or *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education is the sponsor of the charter school, the governing body and the sponsor must enter into a service agreement pursuant to NRS 388A.381 before the provision of such services other than for the provision of school police officers when the provisions of NRS 388A.384 apply. If the board of trustees of a school district provides services to a charter school pursuant to this section or NRS 388A.474, it shall not charge more than its cost for providing such services determined on a cost per pupil basis.

2. A charter school may use any public facility located within the school district in which the charter school is located. A charter



school may use school buildings owned by the school district only upon approval of the board of trustees of the school district.

3. The board of trustees of a school district may donate surplus personal property of the school district to a charter school that is located within the school district.

4. A charter school may:

(a) Acquire by construction, purchase, devise, gift, exchange or lease, or any combination of those methods, and construct, reconstruct, improve, maintain, equip and furnish any building, structure or property to be used for any of its educational purposes and the related appurtenances, easements, rights-of-way, improvements, paving, utilities, landscaping, parking facilities and lands;

(b) Mortgage, pledge or otherwise encumber all or any part of its property or assets;

(c) Borrow money and otherwise incur indebtedness; and

(d) Use public money to purchase real property or buildings with the approval of the sponsor.

5. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 31. NRS 388C.040 is hereby amended to read as follows:

388C.040 “University school for profoundly gifted pupils” means a school that:

1. Is located on ~~the~~ a campus of ~~a university within~~ the **University of Nevada**; ~~System of Higher Education;~~

2. Is operated through a written agreement with the university;

3. Is operated by or is itself a nonprofit corporation that is recognized as exempt pursuant to 26 U.S.C. § 501(c)(3);

4. Demonstrates at least 5 years of successful experience providing educational services to profoundly gifted youth;

5. Provides a full-time alternative program of education, which may include, without limitation, a program of distance education, for profoundly gifted pupils who:

(a) Are residents of this State; and

(b) Have been identified as possessing the abilities and skills necessary for advanced academic work, including accelerated middle school, junior high school, high school and early university entrance; and

6. Does not charge tuition to pupils enrolled in the school.

Sec. 32. NRS 388G.130 is hereby amended to read as follows:

388G.130 1. Except as otherwise provided in subsection 10, the empowerment team of a public school, other than a charter school that is sponsored by the State Public Charter School Authority or by **the University of Nevada** or a college ~~for university~~ within the Nevada System of Higher Education, that



1 develops an empowerment plan pursuant to NRS 388G.120 shall
2 submit the proposed empowerment plan to the designee of the board
3 of trustees appointed pursuant to this subsection for review and
4 approval pursuant to this section. The board of trustees shall
5 designate a person to review each proposed empowerment plan and
6 recommend the approval or denial of the plan to the board of
7 trustees.

8 2. The board of trustees shall approve or deny the
9 empowerment plan. The approval or denial of an empowerment plan
10 must be based solely upon the contents of the plan and may not
11 consider the amount of money required to carry out the
12 empowerment plan if the plan is within the limits of the total
13 apportionment to the school pursuant to subsection 4 of
14 NRS 388G.120.

15 3. Except as otherwise provided in subsection 10, if the board
16 of trustees approves an empowerment plan, the president of the
17 board of trustees, the principal of the public school and the chair of
18 the empowerment team, if the principal is not the chair, shall each
19 sign the plan. The empowerment plan is effective for 3 years unless
20 the empowerment team determines that the school will no longer
21 operate under the plan or the board of trustees of the school district
22 revokes the plan.

23 4. Except as otherwise provided in subsection 10, if the board
24 of trustees denies an empowerment plan, the board of trustees shall:

25 (a) Return the plan to the empowerment team with a written
26 statement indicating the reason for the denial; and

27 (b) Provide the empowerment team with a reasonable
28 opportunity to correct any deficiencies identified in the written
29 statement and resubmit it for approval. An empowerment plan may
30 be resubmitted not more than once in a school year.

31 5. Except as otherwise provided in subsection 10, an
32 empowerment plan for a public school is not effective and a public
33 school shall not operate as an empowerment school unless the plan
34 is signed by the president of the board of trustees of the school
35 district, the principal of the public school and the chair of the
36 empowerment team, if the principal is not the chair. If an
37 empowerment plan includes a request for a waiver from a statute
38 contained in this title or a regulation of the State Board or the
39 Department, a public school may operate under the approved plan
40 but the requested waivers from state law are not effective unless
41 approved by the State Board pursuant to subsection 7.

42 6. Except as otherwise provided in subsection 10, the
43 empowerment team may submit a written request to the board of
44 trustees for an amendment to the empowerment plan approved
45 pursuant to this section, including an explanation of the reason for



1 the amendment. An amendment must be approved in the same
2 manner as the empowerment plan was approved.

3 7. If the empowerment plan includes a request for a waiver
4 from a statute or regulation, the board of trustees shall forward the
5 approved empowerment plan to the State Board for review of the
6 request for a waiver. The State Board shall review the empowerment
7 plan and may approve or deny the request for a waiver from a
8 statute or regulation unless the statute or regulation is required by
9 federal law or is required to carry out federal law.

10 8. If the State Board approves the request for a waiver for a
11 school, the Department shall provide written notice of the approval
12 to the board of trustees of the school district that submitted the
13 empowerment plan on behalf of the school.

14 9. If the State Board denies a request for a waiver, the State
15 Board shall:

16 (a) Return the request to the school district with a written
17 statement indicating the reason for the denial; and

18 (b) Except as otherwise provided in subsection 10, provide the
19 empowerment team with a reasonable opportunity to correct any
20 deficiencies identified in the written statement and resubmit it for
21 approval. A request for a waiver may be resubmitted by the school
22 district, after the empowerment team corrects any deficiencies, not
23 more than once in a school year.

24 10. If an empowerment team has not been established pursuant
25 to the exception provided in subsection 2 of NRS 388G.100, the
26 principal of the school shall carry out the responsibilities and duties
27 assigned to the empowerment team pursuant to this section.

28 **Sec. 33.** NRS 388G.140 is hereby amended to read as follows:

29 388G.140 1. Except as otherwise provided in subsection 7,
30 the empowerment team of a charter school that is sponsored by the
31 State Public Charter School Authority or by *the University of*
32 *Nevada or* a college ~~for university~~ within the Nevada System of
33 Higher Education which develops an empowerment plan pursuant to
34 NRS 388G.120 shall submit the proposed plan to the Department
35 for transmission to the State Board for review and approval pursuant
36 to this section.

37 2. The State Board shall review each proposed empowerment
38 plan and approve or deny the plan, including a request for a waiver
39 from a statute contained in this title or a regulation of the State
40 Board or the Department, if applicable. The approval or denial of an
41 empowerment plan must be based solely upon the contents of the
42 plan and may not consider the amount of money required to carry
43 out the empowerment plan if the plan is within the limits of the total
44 apportionment to the charter school pursuant to subsection 4 of
45 NRS 388G.120.



3. Except as otherwise provided in subsection 7, if the State Board approves an empowerment plan, the President of the State Board, the principal of the charter school and the chair of the empowerment team, if the principal is not the chair, shall each sign the plan. The empowerment plan is effective for 3 years unless the empowerment team determines that the school will no longer operate under the plan or the State Board revokes the plan.

4. Except as otherwise provided in subsection 7, if the State Board denies an empowerment plan, the State Board shall:

(a) Return the plan to the empowerment team with a written statement indicating the reason for the denial; and

(b) Provide the empowerment team with a reasonable opportunity to correct any deficiencies identified in the written statement and resubmit it for approval. An empowerment plan may be resubmitted not more than once in a school year.

5. Except as otherwise provided in subsection 7, an empowerment plan for a charter school that is sponsored by the State Public Charter School Authority or by *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education is not effective and a charter school shall not operate as an empowerment school unless the plan is signed by the President of the State Board, the principal of the charter school and the chair of the empowerment team, if the principal is not the chair.

6. Except as otherwise provided in subsection 7, the empowerment team may submit a written request to the Department for an amendment to the empowerment plan approved pursuant to this section, including an explanation of the reason for the amendment. An amendment must be approved in the same manner as the empowerment plan was approved.

7. If an empowerment team has not been established pursuant to the exception provided in subsection 2 of NRS 388G.100, the principal of the school shall carry out the responsibilities and duties assigned to the empowerment team pursuant to this section.

Sec. 34. NRS 388G.200 is hereby amended to read as follows:

388G.200 1. Each empowerment school, other than a charter school that is sponsored by the State Public Charter School Authority or by *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education, shall, on a quarterly basis, submit to the board of trustees of the school district in which the school is located a report that includes:

(a) The financial status of the school; and

(b) A description of the school's compliance with each component of the empowerment plan for the school.

2. Each charter school that is sponsored by the State Public Charter School Authority or by *the University of Nevada or* a



college ~~for university~~ within the Nevada System of Higher Education which is approved to operate as an empowerment school shall, on a quarterly basis, submit to the Department a report that includes:

(a) The financial status of the school; and

(b) A description of the school's compliance with each component of the empowerment plan for the school.

3. The board of trustees of a school district shall conduct a financial audit of each empowerment school within the school district, other than a charter school that is sponsored by the State Public Charter School Authority or by *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education. Each financial audit must be conducted on an annual basis and more frequently if determined necessary by the board of trustees.

4. The Department shall conduct a financial audit of each charter school that is sponsored by the State Public Charter School Authority or by *the University of Nevada or* a college ~~for university~~ within the Nevada System of Higher Education which operates as an empowerment school on an annual basis and more frequently if determined necessary by the Department.

5. On or before July 1 of each year, the board of trustees of each school district shall compile the reports and audits required pursuant to subsections 1 and 3, if any, and forward the compilation to the:

(a) Governor;

(b) Department; and

(c) Joint Interim Standing Committee on Education.

6. On or before July 1 of each year, the Department shall compile the reports and audits required pursuant to subsections 2 and 4, if any, and forward the compilation to the:

(a) Governor; and

(b) Joint Interim Standing Committee on Education.

Sec. 35. NRS 388H.050 is hereby amended to read as follows:

388H.050 ~~[The Board of Regents of the University of Nevada]~~

1. A higher education governing body may, with the cooperation of the Department of Corrections, offer courses that lead to a postsecondary degree for incarcerated persons in any facility or institution operated by the Department of Corrections.

2. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 36. NRS 389.310 is hereby amended to read as follows:

389.310 1. Each school district and charter school shall and a university school for profoundly gifted pupils may establish a program for dual credit, or partner with another school district or



1 charter school that has already established a program for dual credit,
2 whereby pupils enrolled in the school district or charter school may
3 enroll in a dual credit course at a community college, state college
4 or university that has been approved for dual credit pursuant to NRS
5 389.160. A school district, charter school or university school for
6 profoundly gifted pupils may enter into cooperative agreements with
7 one or more institutions of higher education located in another state
8 and accredited by a regional accrediting agency recognized by the
9 United States Department of Education to offer dual credit courses
10 that are not offered by a community college, state college or
11 university located in this State to pupils enrolled in the school
12 district, charter school or university school for profoundly gifted
13 pupils. Any credits earned by a pupil for the successful completion
14 of a dual credit course must be applied toward earning a credential,
15 certificate or degree, as applicable, at the community college, state
16 college or university.

17 2. An institution of higher education located in another state
18 that enters into a cooperative agreement with a school district,
19 charter school or university school for profoundly gifted pupils in
20 this State to offer a dual credit course shall provide to the
21 Department a copy of each cooperative agreement entered into by
22 the institution of higher education pursuant to subsection 1.

23 3. On or before December 1 of each odd-numbered year, the
24 board of trustees of each school district and the governing body of
25 each charter school or university school for profoundly gifted pupils
26 shall submit a report on its program for dual credit established
27 pursuant to subsection 1 to the Joint Interim Standing Committee on
28 Education and the Director of the Legislative Counsel Bureau for
29 transmission to the next regular session of the Legislature. The
30 Department, in consultation with ~~{the Board of Regents of the~~
31 ~~University of Nevada,}~~ **each higher education governing body,**
32 school districts and charter schools, shall adopt regulations
33 prescribing the information the report must include. The report may
34 include, without limitation:

- 35 (a) The number of pupils enrolled in the program;
36 (b) A list of the courses in which pupils enroll;
37 (c) The number of pupils enrolled in each course;
38 (d) The demographics of the pupils enrolled in the program,
39 including, without limitation, race, ethnicity, gender identity or
40 expression, grade level and eligibility for free or reduced-price
41 lunch pursuant to 42 U.S.C. §§ 1751 et seq.;
- 42 (e) The cost to the school district or charter school for
43 establishing and maintaining the program;
- 44 (f) The cost to pupils for participating in the program; and



(g) The number of teachers employed by the school district or charter school who serve as the teacher of record for a dual credit course.

4. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 37. NRS 391.011 is hereby amended to read as follows:

391.011 1. The Commission on Professional Standards in Education, consisting of eleven members appointed by the Governor, is hereby created.

2. Five members of the Commission must be teachers who teach in the classroom as follows:

(a) One who holds a license to teach secondary education and teaches in a secondary school.

(b) One who holds a license to teach middle school or junior high school education and teaches in a middle school or junior high school.

(c) One who holds a license to teach elementary education and teaches in an elementary school.

(d) One who holds a license to teach special education and teaches special education.

(e) One who holds a license to teach pupils in a program of early childhood education and teaches in a program of early childhood education.

3. The remaining members of the Commission must include:

(a) One school counselor, psychologist, speech-language pathologist, audiologist, or social worker who is licensed pursuant to this chapter and employed by a school district or charter school.

(b) One administrator of a school who is employed by a school district or charter school to provide administrative service at an individual school. Such an administrator must not provide service at the district level.

(c) The dean of the College of Education at one of the ~~universities in~~ *campuses of* the *University of* Nevada, ~~System of Higher Education,~~ or a representative of one of the Colleges of Education nominated by such a dean for appointment by the Governor.

(d) One member who is the parent or legal guardian of a pupil enrolled in a public school.

(e) One member who has expertise and experience in the operation of a business.

(f) One member who is the superintendent of schools of a school district.

4. Three of the five appointments made pursuant to subsection 2 must be made from a list of names of at least three persons for each position that is submitted to the Governor by an employee



1 organization representing the majority of teachers in the State who
2 teach in the educational level from which the appointment is being
3 made.

4 5. The appointment made pursuant to:

5 (a) Paragraph (a) of subsection 3 must be made from a list of
6 names of at least three persons that is submitted to the Governor by
7 an employee organization representing the majority of school
8 counselors, psychologists, speech-language pathologists,
9 audiologists or social workers in this State who are not
10 administrators.

11 (b) Paragraph (b) of subsection 3 must be made from a list of
12 names of at least three persons that is submitted to the Governor by
13 the organization of administrators for schools in which the majority
14 of administrators of schools in this State have membership.

15 (c) Paragraph (d) of subsection 3 must be made from a list of
16 names of persons submitted to the Governor by the Nevada Parent
17 Teacher Association or its successor organization.

18 (d) Paragraph (f) of subsection 3 must be made from a list of
19 names of persons submitted to the Governor by the Nevada
20 Association of School Superintendents.

21 **Sec. 38.** NRS 391.095 is hereby amended to read as follows:

22 391.095 1. A school district may enter into an agreement
23 with a ~~branch of the Nevada System of Higher Education~~ **higher**
24 **education governing body** or an accredited postsecondary
25 educational institution which is licensed by the Commission on
26 Postsecondary Education and which offers courses of study and
27 training for the education of teachers which are approved or
28 recognized by the Commission pursuant to NRS 391.038, for the
29 assignment of students for training purposes as student teachers,
30 counselors or trainees in a library, or for experience in a teaching
31 laboratory. Students so assigned within the school district for
32 training purposes may, under the direction and supervision of a
33 licensed teacher, instruct and supervise pupils in the school, on the
34 school grounds or on authorized field trips. The students so assigned
35 are employees of the school district for purposes of NRS 41.038 and
36 41.039, while performing such authorized duties, whether or not the
37 duties are performed entirely in the presence of the licensed teacher.

38 2. As used in this section:

39 (a) “Accredited” has the meaning ascribed to it in NRS 394.006.

40 (b) **“Higher education governing body” has the meaning**
41 **ascribed to it in NRS 396.005.**

42 (c) “Postsecondary educational institution” has the meaning
43 ascribed to it in NRS 394.099.



Sec. 39. NRS 391.096 is hereby amended to read as follows:

1. A board of trustees of a school district that has entered into an agreement pursuant to NRS 391.095 shall, before assigning a long-term substitute who is not a licensed teacher, assign a student teacher who satisfies the requirements of subsection 2 as a substitute teacher.

2. A student teacher who has completed not less than 4 weeks of student teaching in a school district pursuant to NRS 391.095 may apply to the board of trustees of that school district for employment as a substitute teacher. The application must include the written approval of:

(a) The teacher who supervises the student teacher through *the University of Nevada or a state college or community college within* the Nevada System of Higher Education or accredited postsecondary educational institution, as applicable; and

(b) The teacher who is responsible for supervising the student teacher in the classroom.

3. If a school district employs a student teacher as a substitute teacher pursuant to this section, the school district shall ensure that the student teacher is:

(a) Assigned to teach in the subject area and grade level, as applicable, in which the student teacher is completing his or her student teaching.

(b) Supervised by a licensed teacher. A licensed teacher so assigned must:

(1) Be available to assist the student teacher and observe the student teacher on a periodic basis; and

(2) Oversee the management of the classroom, instructional duties and administrative duties of the student teacher.

4. A student teacher who is employed as a substitute teacher pursuant to this section is entitled to the rate of pay otherwise payable to substitute teachers employed by the school district for each day the student teacher works as a substitute teacher. Nothing in this section entitles a student teacher who is not employed as a substitute teacher to be paid for time spent completing his or her student teaching, including, without limitation, time spent completing course work and assignments required for completion of a program of study offered by *the University of Nevada or a state college or community college within* the Nevada System of Higher Education or an accredited postsecondary educational institution.

5. Except as otherwise provided in this subsection, the board of trustees of a school district that employs a student teacher as a substitute teacher pursuant to this section shall, in consultation with the employee organization representing licensed teachers in the school district, provide for compensation of the licensed teacher



1 who supervises the student teacher pursuant to subsection 3 that is in
2 addition to the regular salary of the licensed teacher. The board of
3 trustees is not required to provide additional compensation to:

4 (a) A licensed teacher who is employed by the school district for
5 the primary purpose of supervising student teachers and who is not
6 otherwise employed for the purpose of providing classroom
7 instruction to pupils; or

8 (b) A licensed teacher who receives compensation from *the*
9 *University of Nevada or a state college or community college*
10 *within* the Nevada System of Higher Education or an accredited
11 postsecondary educational institution for supervising student
12 teachers.

13 6. As used in this section, “student teacher” means a student of
14 ~~[a branch of]~~ *the University of Nevada or a state college or*
15 *community college within* the Nevada System of Higher Education
16 or an accredited postsecondary educational institution who is
17 assigned to teach for training purposes pursuant to NRS 391.095.

18 **Sec. 40.** NRS 391A.150 is hereby amended to read as follows:

19 391A.150 1. Each regional training program must have a
20 governing body consisting of:

21 (a) The superintendent of schools, or the superintendent’s
22 designee, for each school district that is included within the primary
23 jurisdiction of the regional training program. The superintendent of
24 schools serves ex officio.

25 (b) Teachers who are considered masters, appointed by the
26 superintendents of schools of the school districts that are included
27 within the primary jurisdiction of the regional training program and
28 the representatives of higher education appointed to the governing
29 body. Each teacher who wishes to be considered for appointment to
30 the governing body must submit an application explaining his or her
31 qualifications as a master teacher. At least one teacher must be
32 appointed from each school district within the primary jurisdiction
33 of the regional training program.

34 (c) Representatives of *the University of Nevada and* the Nevada
35 System of Higher Education, appointed by ~~[the Board of Regents,]~~
36 *each relevant higher education governing body,* and
37 representatives of other institutions of higher education, as
38 determined by the superintendents of school districts included
39 within the primary jurisdiction of the regional training program.

40 (d) A nonvoting member who is an employee of the
41 Department.

42 2. After the appointments are made, the governing body shall
43 select a chair from among its membership.



3. Each member of the governing body shall serve a term of 2 years. A person must not be appointed to serve more than three consecutive terms.

4. A vacancy in the governing body must be filled in the same manner as the original appointment.

5. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 41. NRS 391A.175 is hereby amended to read as follows:

391A.175 1. The governing body of each regional training program shall:

(a) Adopt a training model, taking into consideration other model programs, including, without limitation, the program used by the Geographic Alliance in Nevada.

(b) Assess the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program and adopt priorities of training for the program based upon the assessment of needs. The board of trustees of each such school district may submit recommendations to the appropriate governing body for the types of training that should be offered by the regional training program.

(c) In making the assessment required by paragraph (b) and as deemed necessary by the governing body, review the plans to improve the achievement of pupils prepared pursuant to NRS 385A.650 for individual schools within the primary jurisdiction of the regional training program.

(d) Prepare a 5-year plan for the regional training program for review by the Statewide Council, which includes, without limitation:

(1) An assessment of the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program; and

(2) Specific details of the training that will be offered by the regional training program for the first 2 years covered by the plan including, without limitation, the biennial budget of the regional training program for those 2 years.

➤ The governing body shall incorporate into the 5-year plan any revisions recommended by the Statewide Council.

(e) Review the 5-year plan on an annual basis and make revisions to the plan as are necessary to serve the training needs of teachers and administrators employed by the school districts within the primary jurisdiction of the regional training program.

2. The Department, *the University of Nevada*, the Nevada System of Higher Education and the board of trustees of a school district may request the governing body of the regional training program that serves the school district to provide training,



participate in a program or otherwise perform a service that is in addition to the duties of the regional training program that are set forth in the plan adopted pursuant to this section or otherwise required by statute. An entity may not represent that a regional training program will perform certain duties or otherwise obligate the regional training program as part of an application by that entity for a grant unless the entity has first obtained the written confirmation of the governing body of the regional training program to perform those duties or obligations. The governing body of a regional training program may, but is not required to, grant a request pursuant to this subsection.

Sec. 42. NRS 392.128 is hereby amended to read as follows:

392.128 1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

(a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of the school district or the State Public Charter School Authority or *the University of Nevada* or a college ~~for university~~ within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.240;

(b) Identify factors that contribute to the truancy of pupils in the school district;

(c) Establish programs to reduce the truancy of pupils in the school district, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.

2. The chair of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory board divides the advisory board into subcommittees, the chair shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.



3. An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, “family resource center” has the meaning ascribed to it in NRS 430A.040.

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory board to review school attendance to reduce the truancy of pupils in the school district.

Sec. 43. NRS 394.625 is hereby amended to read as follows:

394.625 1. Except for the *University of Nevada and the Nevada System of Higher Education*, no person may use the term “university” or “college” or any term or abbreviation which represents that the person is a university or college as part of the name or other designation of any entity without authorization from the Commission.

2. The Commission shall adopt regulations for authorizing postsecondary educational institutions to use the term “university” or “college” as part of their respective names or designations. The regulations must provide for consideration of the institution’s qualification to award degrees and may include minimum standards similar to those prescribed by law for licensing by the Commission.

Sec. 44. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 45 to 53, inclusive, of this act.

Sec. 45. 1. *The doctoral university institutions of this State are the campuses of the University of Nevada known as the University of Nevada, Reno, and the University of Nevada, Las Vegas.*

2. *The master’s college institution of this State is Nevada State College.*

3. *The baccalaureate college institution of this State is Great Basin College.*

4. *The baccalaureate and associate’s college institutions of this State are the College of Southern Nevada, Truckee Meadows Community College and Western Nevada College.*

5. *A baccalaureate and associate’s college institution shall offer courses in academic subjects and nonacademic subjects as*



1 authorized by its board of trustees. The academic courses must be
2 of the same standard as those offered in the first 2 years of a
3 degree program offered at a baccalaureate college institution,
4 master's college institution or doctoral university institution.

5 6. A baccalaureate and associate's college institution may
6 offer targeted 4-year degrees supporting local workforce needs as
7 authorized by its board of trustees.

8 7. Credits earned by a student at any institution described in
9 subsections 1 to 4, inclusive, must be accepted by any other
10 institution described in subsections 1 to 4, inclusive, for credit
11 towards a baccalaureate degree.

12 8. As used in this section:

13 (a) "Baccalaureate and associate's college institution" means
14 an institution where associate's degrees represent not less than 50
15 percent of all degrees awarded each year. The term includes a
16 community college.

17 (b) "Baccalaureate college institution" means an institution,
18 other than a master's college institution or doctoral university
19 institution, where baccalaureate or higher degrees represent not
20 less than 50 percent of all degrees awarded each year.

21 (c) "Doctoral university institution" means an institution that
22 has not less than \$5,000,000 in total research expenditures each
23 year and awards not less than 20 research or scholarship doctoral
24 degrees each year.

25 (d) "Master's college institution" means an institution that
26 awards not less than 50 master's degrees each year.

27 **Sec. 46. 1.** There is hereby created the Nevada Office of
28 Higher Education Administrative Services.

29 2. The Office consists of a Director, a Deputy Director and
30 the following divisions:

31 (a) General Services Division.

32 (b) University and Research Institutions Division.

33 (c) State College and Community College Division.

34 3. The head of a division is an assistant director.

35 **Sec. 47. 1.** The Governor shall appoint:

36 (a) The Director;

37 (b) The Deputy Director of the Office; and

38 (c) An assistant director for each division of the Office.

39 2. The Director must have:

40 (a) A degree from a college or university recognized as equal
41 in rank to those having membership in the Association of
42 American Universities;

43 (b) At least 5 years of responsible experience in the field of
44 higher education administration; and



(c) Broad management skills in areas related to functions of the position.

3. The Director shall devote his or her entire time and attention to the business of his or her office and shall not engage in other gainful employment or occupation.

Sec. 48. The Governor shall fix the salary of the Director which must not exceed 95 percent of the salary of the Office of the Governor during the same period.

Sec. 49. The Office shall provide administrative and technical support to each higher education governing body, any research facility within the University and the presidents of each campus of the University and each state college or community college within the System, as applicable, for the purpose of increasing the ability of each such entity to:

1. Provide extension instruction on the collegiate level and conduct service activities throughout this State; and

2. Conduct research and service activities throughout this State.

Sec. 50. The Office shall maintain its principal offices at Carson City, Nevada. The offices must be kept open at such times as the business of the Office and the convenience or the interest of the public may require. The offices are under the supervision of the Director.

Sec. 51. 1. There is hereby established a board of trustees at each state college and community college within the System. Each board of trustees consists of seven voting members and two nonvoting members appointed by the Governor, which must be made from a list of names of at least three persons for each position that is submitted to the Governor by the Legislative Commission.

2. The members of each board of trustees appointed pursuant to subsection 1 must include:

(a) Among the seven voting members, representatives from local governments and regional development authorities where the campus of the state college or community college is located; and

(b) Among the two nonvoting members, one representative each from the faculty and the student body of the state college or community college, as applicable.

3. A board of trustees established pursuant to subsection 1 shall, for the state college or community college at which the board has been established:

(a) Have authority to hire, fire, discipline and evaluate the performance of the president of the state college or community college and provide feedback concerning the president to the Office;



(b) Work with the president, staff, students and faculty of the state college or community college to develop policies and priorities and assess performance at the state college or community college; and

(c) Before a budget request for the state college or community college is submitted to the Office, review the request and provide feedback concerning the request to the president of the state college or community college.

4. After the initial terms, each voting member and nonvoting faculty member appointed to a board of trustees established pursuant to subsection 1 serves a term of 4 years, and each nonvoting student member serves a term of 1 year, except that each member continues to serve until a successor is appointed. A member of a board of trustees may be reappointed.

5. A nonvoting student member must be a full-time student in good standing at the time of the appointment and remain in good standing. The Governor shall remove a student member before the expiration of the term of the student if the student fails to be enrolled full-time or fails to remain in good standing.

6. A member of a board of trustees may be removed by the Governor before the expiration of the term of the member for misconduct in office, incompetence or neglect of duty.

7. If a vacancy occurs during the term of a member of a board of trustees established pursuant to subsection 1, the Governor shall appoint a person to fill the vacancy for the remainder of the unexpired term in the same manner as the original appointment.

8. Each board of trustees shall annually elect a chair from among its voting members. Each board of trustees shall meet at the call of the chair. At all times the records of all proceedings of the board of trustees are open to public inspection, except records of a closed meeting which have not become public.

9. Each board of trustees shall adopt bylaws and rules for the conduct of its business and shall have the power to amend and rescind those bylaws and rules.

10. A board of trustees may adopt such regulations as it deems necessary for the operation and management of the state college or community college at which the board has been established and any dormitories or other facilities connected with the state college or community college, as applicable. Such regulations must be consistent with any rules, regulations, policies or procedures adopted by the Office.

Sec. 52. 1. The board of trustees of a state college or community college shall operate and manage the state college or community college, as applicable.



2. In addition to the other powers granted to and duties imposed upon a board of trustees pursuant to the provisions of this chapter, each board of trustees shall:

(a) Annually prepare and submit to the Office a budget for the state college or community college at which the board has been established.

(b) Annually prepare and submit to the Office for its approval a comprehensive plan for the state college or community college, as applicable, for the next 4 years.

(c) Comply with and enforce any rules prescribed by the Office for the governance of a state college or community college.

(d) Perform any other duties and responsibilities required by the Office.

3. The members of the board of trustees are the sole trustees to receive and disburse all money appropriated to or received by the state college or community college at which the board has been established. The board of trustees shall control the expenditures of all money appropriated for the support and maintenance of the state college or community college at which the board has been established and all money received from any other source.

Sec. 53. 1. The board of trustees of a state college or community college shall employ and fix the salary of:

(a) A president for the state college or community college, as applicable; and

(b) Any administrative officers and other employees deemed by the board of trustees to be necessary or appropriate for the governance, operation and management of the state college or community college at which the board has been established and any dormitories or facilities connected with operation of the state college or community college.

2. The board of trustees may, consistent with any rules, regulations, policies or procedures adopted by the Office:

(a) Establish or lease, operate, equip and maintain dormitories, facilities for food services, facilities for the sale or lease of books and other facilities connected with the operation of the state college or community college, as applicable.

(b) Enter into agreements with the owners of facilities to be used as dormitories.

(c) Establish fees and charges for any dormitories, facilities for food services, facilities for the sale or lease of books and other facilities established or leased pursuant to paragraph (a).

(d) Adopt any rules deemed necessary or advisable by the board of trustees for the governance, management and operation



1 of dormitories and other facilities connected with the operation of
2 the state college or community college.

3 (e) Prescribe the courses of study for the state college or
4 community college and publish a catalog of any courses offered at
5 the state college or community college.

6 (f) Delegate to the president of the state college or community
7 college, as applicable, any of the powers and duties of the board of
8 trustees.

9 3. In addition to any money appropriated by the Legislature,
10 each board of trustees for a state college or community college
11 may apply for and accept any gift, donation, bequest, grant or
12 other source of money to carry out its duties and responsibilities.

13 **Sec. 54.** NRS 396.005 is hereby amended to read as follows:

14 396.005 As used in this chapter, unless the context otherwise
15 requires:

16 1. “Board of Regents” means the Board of Regents of the
17 University of Nevada.

18 2. “Community college” means all of the community colleges
19 within the Nevada System of Higher Education.

20 3. *“Director” means the Director of the Office.*

21 4. *“Higher education governing body” means the Board of*
22 *Regents of the University of Nevada and each board of trustees of*
23 *a state college or community college.*

24 5. *“Office” means the Nevada Office of Higher Education*
25 *Administrative Services created by section 46 of this act.*

26 6. “State college” means all of the state colleges within the
27 Nevada System of Higher Education.

28 ~~14.1~~ 7. “System” means the Nevada System of Higher
29 Education.

30 ~~15.1~~ 8. “University” means *the University of Nevada and* all of
31 the ~~universities~~ *campuses and research facilities* within the
32 *University of Nevada .* ~~System of Higher Education.~~

33 **Sec. 55.** NRS 396.010 is hereby amended to read as follows:

34 396.010 1. The seat of the State University, as described in
35 Section 4 of Article 11 of the Constitution of the State of Nevada, is
36 hereby located at the Office of the Chancellor of the ~~System.~~
37 *University.*

38 2. Extension instruction on the collegiate level, research and
39 service activities may be conducted throughout the State.

40 **Sec. 56.** NRS 396.020 is hereby amended to read as follows:

41 396.020 1. The legal and corporate name of the State
42 University *established by the Legislature pursuant to section 4 of*
43 *Article 11 of the Nevada Constitution* is the University of Nevada.
44 The *University of Nevada is administered under the direction of*



1 *the Chancellor of the University and the Board of Regents and*
2 *consists of:*

3 (a) *A campus known as the University of Nevada, Reno,*
4 *including any research facility established within the University of*
5 *Nevada, Reno;*

6 (b) *A campus known as the University of Nevada, Las Vegas,*
7 *including any research facility established within the University of*
8 *Nevada, Las Vegas;*

9 (c) *A campus known as the Desert Research Institute,*
10 *including any research facility established within the Desert*
11 *Research Institute;*

12 (d) *Departments within the Public Service Division; and*

13 (e) *Such administrative staff as are necessary to implement the*
14 *functions of the University of Nevada.*

15 2. *The Nevada System of* ~~the~~

16 ~~—1. Universities;~~

17 ~~—2.} Higher Education is administered under the direction of~~
18 ~~the Office and each board of trustees of a state college or~~
19 ~~community college in this State, as applicable, and consists of:~~

20 (a) *State colleges;*

21 ~~{3.} (b) Community colleges; and~~

22 ~~{4.} (c) Administrative services .~~ ~~the~~

23 ~~—5. Research facilities, including, without limitation:~~

24 ~~—(a) The Desert Research Institute;~~

25 ~~—(b) The Ethics Institute; and~~

26 ~~—(c) The Center for the Analysis of Crime Statistics, established~~
27 ~~within the Department of Criminal Justice at the University of~~
28 ~~Nevada, Las Vegas; and~~

29 ~~—6. Departments within the Public Service Division,~~

30 ~~administered under the direction of the Board of Regents is~~
31 ~~hereby collectively known as the Nevada System of Higher~~
32 ~~Education. The System is comprised of such branches and facilities~~
33 ~~as the Board of Regents deems appropriate.}~~

34 3. *As used in this section, “research facility” means an*
35 *institution dedicated primarily to creating knowledge in advanced*
36 *fields of study through research and intellectual service to this*
37 *State.*

38 **Sec. 57.** NRS 396.070 is hereby amended to read as follows:

39 396.070 1. Each member of ~~the Board of Regents~~ *a higher*
40 *education governing body* is entitled to receive a salary of \$80 for
41 each meeting of the ~~Board~~ *body* that he or she attends.

42 2. Each member of ~~the Board of Regents~~ *a higher education*
43 *governing body* is entitled to receive in attending meetings of the
44 ~~Board,~~ *body*, or while on ~~Board of Regents’~~ *business related to*
45 *the duties of the body* within the State:



(a) A per diem expense allowance not to exceed the greater of:

(1) The rate of \$60; or

(2) The maximum rate established by the Federal Government for the locality in which the travel is performed.

(b) The travel allowance provided for state officers and employees generally.

3. If an account is established for a member of ~~the Board of Regents~~ *a higher education governing body* to pay for hosting expenditures of the member:

(a) The annual expenditures from the account may not exceed \$2,500.

(b) The account may be used only to pay for activities that are directly related to the duties of the member of the ~~Board of Regents~~ *higher education governing body*, including reasonable expenses for meals, beverages and small gifts. The account must not be used to pay for expenses associated with attending a sporting event or a political fundraising event.

(c) ~~The~~ *A* member of the Board of Regents must submit a monthly report of expenditures from the account to the Chancellor of the ~~System~~ *University. A member of a higher education governing body, other than the Board of Regents, must submit a monthly report of expenditures from the account to the Director.* The report must include, without limitation, the amount of money expended from the account, the specific purpose and activity for which the money was expended and, if applicable, the person for whom the money was expended.

(d) The Chancellor of the ~~System~~ *University or the Director, as applicable*, shall compile the monthly reports into an annual report on or before January 30 of each year. The monthly reports and annual reports are public records and must be made available for public inspection.

4. As used in this section, “hosting expenditures” means reasonable expenses by or on behalf of a member of ~~the Board of Regents~~ *a higher education governing body* who is conducting business activities necessary to provide a benefit to the *University or System* by establishing goodwill, promoting programs of the *University or System* or otherwise advancing the mission of the *University or System*.

Sec. 58. NRS 396.110 is hereby amended to read as follows:

396.110 1. The Board of Regents may prescribe rules for:

(a) Its own government; and

(b) The government of the ~~System~~ *University.*

2. The ~~Board of Regents~~ *board of trustees of a state college or community college may prescribe rules for:*

(a) *Its own government; and*



(b) *The government of the state college or community college, as applicable.*

3. *Each higher education governing body* shall prescribe rules for the granting of permission to carry or possess a weapon pursuant to NRS 202.265.

Sec. 59. NRS 396.121 is hereby amended to read as follows:

396.121 1. ~~{The Board of Regents}~~ *Each higher education governing body and the Director* shall prepare and submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature an annual report concerning equity in the workplace, which includes:

(a) A summary of each complaint filed by an employee of the *office, University or System, as applicable*, in the immediately preceding calendar year which alleges conduct, whether intentional or unintentional, which is not unlawful but is against the public policy set forth in NRS 281.001, including, without limitation, conduct that communicates a negative attitude toward persons of marginalized identities; and

(b) Any action taken in response to a complaint described in paragraph (a).

2. Any information contained in a report required by subsection 1 must be reported in a manner that does not reveal the identity of any person.

3. As used in this section, “marginalized identity” has the meaning ascribed to it in NRS 284.015.

Sec. 60. NRS 396.122 is hereby amended to read as follows:

396.122 A member of ~~{the Board of Regents}~~ *a higher education governing body or the Office* shall not be interested, directly or indirectly, as principal, partner, agent or otherwise, in any contract or expenditure created by ~~{the Board of Regents,}~~ *a higher education governing body or the Office, as applicable*, or in the profits or results thereof.

Sec. 61. NRS 396.126 is hereby amended to read as follows:

396.126 “Complainant” means a student or employee of an institution within the *University or System* who is alleged to be the victim of conduct that could constitute sexual misconduct.

Sec. 62. NRS 396.133 is hereby amended to read as follows:

396.133 “Sexual harassment” means conduct on the basis of sex, whether direct or indirect, implicit or explicit, verbal or nonverbal or in person or via virtual or electronic means, that satisfies one or more of the following:

1. An employee of an institution within the *University or System* conditioning the provision of an aid, benefit or service of the institution or the terms, conditions or privileges of the participation of a person in the education programs or activities of the institution



on the person's participation in unwelcome sexual conduct, including, without limitation:

- (a) A sexual advance;
- (b) A request for sexual favors; or
- (c) Other conduct of a sexual nature.

2. Unwelcome sexual advances, requests for sexual favors and conduct of a sexual nature or evincing gender bias:

(a) That, in the educational environment, is made a term or condition of a student's academic status or, based on an objective standard, is sufficiently severe, persistent or pervasive that it interferes with, limits or effectively denies a student the ability to participate in or benefit from the services, activities or opportunities offered by an institution within the **University or** System.

(b) Where, in the workplace, submission to or rejection of the sexual advances, requests for sexual favors or conduct is used as a basis for decisions or evaluations related to academics or employment or permission to participate in a service, activity or opportunity offered by an institution within the **University or** System or that, based on an objective standard, is sufficiently severe, persistent or pervasive that it creates an intimidating, hostile or abusive work environment which may or may not interfere with an employee's job performance.

3. Sexual assault, dating violence, domestic violence or stalking.

Sec. 63. NRS 396.136 is hereby amended to read as follows:

396.136 "Student" includes, without limitation, a former student of an institution within the **University or** System who took a leave of absence or withdrew from the institution due to being a complainant or respondent.

Sec. 64. NRS 396.141 is hereby amended to read as follows:

396.141 1. There is hereby created the Task Force on Sexual Misconduct at Institutions of Higher Education consisting of ~~{+2}~~ **13** members as follows:

(a) The Chancellor of the ~~{System,}~~ **University**, or his or her designee;

(b) **The Director of the Office, or his or her designee;**

(c) The Chief General Counsel of the ~~{System,}~~ **University**, or his or her designee; and

~~{(e)}~~ (d) Ten members appointed by the ~~{Board of Regents,}~~ **higher education governing bodies in this State, in consultation with the Office**, as follows:

- (1) One representative of a state college;
- (2) One representative of a community college;
- (3) One representative of a university;



(4) One Title IX coordinator from an institution within the **University or** System;

(5) One student, appointed in consultation with a student government association, who represents a group or organization that focuses on multiculturalism, diversity or advocacy at a state college or community college;

(6) One student, appointed in consultation with a student government association, who represents a group or organization that focuses on multiculturalism, diversity or advocacy at a university;

(7) One researcher with experience in the development of climate surveys on sexual misconduct;

(8) One researcher of statistics, data analytics or econometrics with experience in survey analysis in higher education;

(9) One medical professional from the University of Nevada, Las Vegas, School of Medicine or the University of Nevada, Reno, School of Medicine; and

(10) One person who serves as a victim's advocate, as defined in NRS 49.2545, at an institution within the **University or** System.

2. After the initial terms, each appointed member of the Task Force serves a term of 2 years and may be reappointed to one additional 2-year term following his or her initial term. A vacancy must be filled in the same manner as the original appointment.

3. The Task Force shall, at its first meeting and each odd-numbered year thereafter, elect a Chair from among its members.

4. The Task Force shall meet at least once annually and may meet at other times upon the call of the Chair or a majority of the members of the Task Force.

5. A majority of the members of the Task Force constitutes a quorum, and a quorum may exercise all the power and authority conferred on the Task Force.

6. Members of the Task Force serve without compensation, except that for each day or portion of a day during which a member of the Task Force attends a meeting of the Task Force or is otherwise engaged in the business of the Task Force, and within the limits of available money, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. Each member of the Task Force who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of his or her regular compensation so that the member may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable. A state agency or



1 local government shall not require an officer or employee who is a
2 member of the Task Force to make up the time the member is absent
3 from work to carry out his or her duties as a member, and shall not
4 require the member to take annual vacation or compensatory time
5 for the absence.

6 **Sec. 65.** NRS 396.1415 is hereby amended to read as follows:

7 396.1415 1. The Task Force on Sexual Misconduct at
8 Institutions of Higher Education created by NRS 396.141 shall:

9 (a) Review the results of any climate survey on sexual
10 misconduct administered at an institution within the *University or*
11 *System*; and

12 (b) Each year, hold a meeting open to the public to provide
13 recommendations to the ~~{Board of Regents}~~ *higher education*
14 *governing bodies and the Office* on how to address sexual
15 misconduct at institutions within the *University or System*.

16 2. A meeting held pursuant to subsection 1 is not subject to the
17 provisions of chapter 241 of NRS.

18 **Sec. 66.** NRS 396.142 is hereby amended to read as follows:

19 396.142 1. To the extent that money is available, ~~{the Board~~
20 ~~of Regents}~~ *a higher education governing body or the Office* may
21 appoint researchers employed at one or more institutions within the
22 *University or System* to develop a climate survey on sexual
23 misconduct designed to be administered at institutions within the
24 *University or System*. The climate survey on sexual misconduct
25 must:

26 (a) Gather institution-specific data regarding the prevalence of
27 gender-based harassment and discrimination;

28 (b) Be fair and unbiased;

29 (c) Be scientifically valid and reliable; and

30 (d) Meet the highest standards of survey research.

31 2. If appointed to develop a climate survey on sexual
32 misconduct, the researchers shall:

33 (a) Use best practices from peer-reviewed research;

34 (b) Consult with persons with expertise in the development and
35 use of climate surveys on sexual misconduct at institutions of higher
36 education;

37 (c) Consult with a student government association;

38 (d) Review climate surveys on sexual misconduct which have
39 been developed and implemented by institutions of higher
40 education, including, without limitation, institutions in other states;

41 (e) Provide opportunity for written comment from organizations
42 that assist victims of sexual misconduct to ensure the adequacy and
43 appropriateness of any proposed content of the climate survey on
44 sexual misconduct;



(f) Consult with institutions within the **University or** System on strategies for optimizing the effectiveness of the climate survey on sexual misconduct; and

(g) Account for the diverse needs and differences of the institutions within the **University or** System.

3. If a climate survey on sexual misconduct is developed, the climate survey must request information on topics related to sexual misconduct. The topics may include, without limitation:

(a) The estimated number of alleged incidents of sexual misconduct, both reported and not reported, at an institution within the **University or** System, if a student taking the survey has knowledge of such information;

(b) When and where an alleged incident of sexual misconduct occurred;

(c) Whether an alleged incident of sexual misconduct was perpetrated by a student, faculty member, staff member of an institution within the **University or** System, third party vendor or another person;

(d) Awareness of a student of the policies and procedures related to sexual misconduct at an institution;

(e) Whether a student reported an alleged incident of sexual misconduct and:

(1) If the incident was reported, to which campus resource or law enforcement agency a report was made; and

(2) If the incident was not reported, the reason the student chose not to report the incident;

(f) Whether a student who reported an alleged incident of sexual misconduct was:

(1) Offered supportive measures by an institution;

(2) Informed of, aware of or referred to campus, local or state resources for support for victims, including, without limitation, appropriate medical care and legal services; and

(3) Informed of the prohibition against retaliation for reporting an alleged incident of sexual misconduct;

(g) Contextual factors in an alleged incident of sexual misconduct, such as the involvement of force, incapacitation or coercion;

(h) Demographic information that could be used to identify at-risk groups, including, without limitation, the gender, race, ethnicity, national origin, economic status, disability, gender identity or expression, immigration status and sexual orientation of the student taking the climate survey on sexual misconduct;

(i) Perceptions a student has of campus safety;



(j) Whether a student has confidence in the ability of the institution to protect against and respond to alleged incidents of sexual misconduct;

(k) Whether a student chose to withdraw or take a leave of absence from the institution or transfer to another institution because the student is the complainant or respondent in an alleged incident of sexual misconduct;

(l) Whether a student withdrew from any classes or was placed on academic probation, disciplinary probation or otherwise disciplined as a result of an alleged incident of sexual misconduct;

(m) Whether a student experienced any financial impact as a result of an alleged incident of sexual misconduct;

(n) Whether a student experienced any negative health impacts as a result of an alleged incident of sexual misconduct, including, without limitation, post-traumatic stress disorder, anxiety, depression, chronic pain or an eating disorder;

(o) The perception of the participants in the survey of the attitudes of the community toward sexual misconduct, including, without limitation, the willingness of a person to intervene in an ongoing incident of sexual misconduct as a bystander; and

(p) Any other questions as determined necessary by the researchers.

4. The climate survey on sexual misconduct must provide an option for students to decline to answer a question.

5. The climate survey on sexual misconduct must be provided to the Task Force on Sexual Misconduct at Institutions of Higher Education created pursuant to NRS 396.141 for comment.

Sec. 67. NRS 396.1425 is hereby amended to read as follows:

396.1425 1. To the extent that money is available, the Board of Regents may require ~~each institution within~~ the *University, the board of trustees of a state college or community college may require the state college or community college and the Director may require an institution within the* System to conduct a climate survey on sexual misconduct at the institution biennially.

2. A climate survey on sexual misconduct conducted pursuant to subsection 1 must include the questions developed by researchers employed at an institution within the *University or* System pursuant to NRS 396.142. If an institution within the *University or* System includes additional questions on a climate survey on sexual misconduct pursuant to subsection 1, the questions must not be unnecessarily traumatizing for a victim of an alleged incident of sexual misconduct.

3. If an institution within the *University or* System conducts a climate survey on sexual misconduct pursuant to subsection 1, the institution shall:



(a) Provide the survey to each student at the institution, including, without limitation, students studying abroad;

(b) Not require the disclosure of personally identifiable information by a participant in the climate survey on sexual misconduct;

(c) Work to ensure an adequate number of students complete the survey to achieve a random and representative sample size of students;

(d) Within 120 days after completion of the climate survey on sexual misconduct:

(1) Compile a summary of the responses to the survey; and

(2) Submit the summary of responses to the ~~{Board of Regents;}~~ *higher education governing body of the institution and the Office;* and

(e) Post on the Internet website maintained by the institution in a manner that does not disclose personally identifiable information of any person, the summary of the responses to the climate survey on sexual misconduct.

4. A climate survey on sexual misconduct must be administered electronically by an institution within the *University or System* and provide reasonable accommodations for students with a disability.

5. An institution within the *University or System* may obtain a waiver from the ~~{Board of Regents;}~~ *higher education governing body of the institution or the Office, as applicable,* to not administer a climate survey on sexual misconduct pursuant to this section due to the financial circumstances of the institution.

6. An institution within the *University or System* may apply for and accept any gifts, grants, donations, bequests or other money from any source to carry out the provisions of this section.

7. Any data or reports that underlie the summaries generated pursuant to subsection 2 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 68. NRS 396.143 is hereby amended to read as follows:

396.143 1. If ~~{the Board of Regents;}~~ *a higher education governing body or the Office* requires an institution within the *University or System* to conduct a climate survey on sexual misconduct pursuant to NRS 396.1425, the ~~{Board of Regents;}~~ *higher education governing body or the Office* shall to the extent that money is available:

(a) Provide a copy of the questions developed by the researchers employed at an institution within the *University or System* pursuant to NRS 396.142 to ~~{each}~~ *the* institution within a reasonable time after the ~~{Board of Regents;}~~ *higher education governing body or the Office* receives the questions from the researchers;



(b) Establish a repository for the summaries of the climate survey on sexual misconduct submitted by ~~each~~ *the* institution pursuant to NRS 396.1425;

(c) Post each summary of the responses to a climate survey on sexual misconduct submitted by an institution pursuant to NRS 396.1425 on the Internet website maintained by ~~the Board of Regents~~ *the higher education governing body and the Office* in a manner that does not disclose personally identifiable information of any person;

(d) Adopt a policy on the dissemination, collection and summation of the responses to the climate survey on sexual misconduct; and

(e) On or before February 1 of each odd-numbered year, report the summaries of the climate survey on sexual misconduct submitted by an institution pursuant to NRS 396.1425 to the Director of the Legislative Counsel Bureau for transmittal to the Senate and Assembly Standing Committees on Education.

2. Any data or reports that underlie the summaries generated pursuant to subsection 1 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 69. NRS 396.144 is hereby amended to read as follows:

396.144 ~~{The Board of Regents}~~ *Each higher education governing body or the Office* may require an institution within the *University or System, as applicable,* to:

1. Require employees who participate in the grievance process of the institution pursuant to Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq., or a policy on sexual misconduct adopted pursuant to NRS 396.145 to receive annual training on topics related to sexual misconduct which may include, without limitation, any training required pursuant to NRS 396.152;

2. Provide a complainant and respondent with a copy of the policies of the institution regarding the submission and consideration of evidence that may be considered during the grievance process;

3. Except as otherwise required by federal law, within 14 business days after the conclusion of the grievance process, inform the complainant and the respondent of the result of the grievance process; and

4. Unless otherwise required by state or federal law, not publicly disclose the identity of a complainant or respondent.

Sec. 70. NRS 396.145 is hereby amended to read as follows:

396.145 1. ~~{The Board of Regents}~~ *Each higher education governing body or the Office* may require an institution within the *University or System, as applicable,* to adopt a policy on sexual misconduct consistent with applicable state and federal law.



2. If ~~the Board of Regents~~ *a higher education governing body or the Office* requires the adoption of a policy on sexual misconduct pursuant to subsection 1, in developing the policy on sexual misconduct, an institution within the *University or* System ~~is~~ *, as applicable:*

(a) Shall:

(1) Incorporate a trauma-informed response;

(2) Coordinate with:

(I) The Title IX coordinator of the institution; and

(II) If an institution has entered into a memorandum of understanding pursuant to NRS 396.147, the organization that assists persons involved in sexual misconduct; and

(3) Engage in a culturally competent manner to reflect the diverse needs of all students; and

(b) May consider input from internal and external entities, including, without limitation:

(1) Administrators at the institution;

(2) Personnel affiliated with health care centers located on or off a campus of the institution that provide services to the institution;

(3) An advocate designated pursuant to NRS 396.148;

(4) Staff affiliated with campus housing services;

(5) Students enrolled in an institution within the *University or* System;

(6) A provider of health care;

(7) Law enforcement agencies, including, without limitation, campus police or security; and

(8) The district attorney of the county where the main campus of the institution is located.

3. If ~~the Board of Regents~~ *a higher education governing body or the Office* requires the adoption of a policy on sexual misconduct pursuant to subsection 1, an institution within the *University or* System shall provide:

(a) Internal or external entities an opportunity to provide comment on the initial policy on sexual misconduct or any substantive change to the policy;

(b) Instructions on how an internal or external entity may provide comment on the initial policy on sexual misconduct or a substantive change to the policy; and

(c) A reasonable length of time during which the institution will accept comment.

4. After an initial policy on sexual misconduct is adopted by an institution within the *University or* System, the opportunity for comment by an internal or external entity pursuant to subsection 3



1 applies only to a substantive change to the policy, as determined by
2 the institution.

3 5. If ~~{the Board of Regents}~~ *a higher education governing*
4 *body or the Office* requires the adoption of a policy on sexual
5 misconduct pursuant to subsection 1, an institution within the
6 *University or* System shall make the policy on sexual misconduct
7 publicly available not later than the start of each academic year:

8 (a) Upon request, to a prospective student, current student or
9 employee of the institution; and

10 (b) On the Internet website maintained by the institution.

11 **Sec. 71.** NRS 396.146 is hereby amended to read as follows:

12 396.146 A policy on sexual misconduct adopted pursuant to
13 NRS 396.145 must include, without limitation, information on:

14 1. The procedures by which a student or employee at an
15 institution within the *University or* System may report or disclose an
16 alleged incident of sexual misconduct that occurred on or off a
17 campus of the institution;

18 2. Supportive measures, including, without limitation:

19 (a) Changing academic, living, campus transportation or work
20 arrangements;

21 (b) Taking a leave of absence from the institution in response to
22 an alleged incident of sexual misconduct;

23 (c) How to request supportive measures; and

24 (d) The process to have any supportive measures reviewed by
25 the institution;

26 3. Appropriate local, state and federal law enforcement
27 agencies, including, without limitation, the contact information for a
28 law enforcement agency; and

29 4. The grievance process of the institution for investigating and
30 resolving a report of an alleged incident of sexual misconduct
31 pursuant to Title IX of the Education Amendments Act of 1972, 20
32 U.S.C. §§ 1681 et seq.

33 **Sec. 72.** NRS 396.147 is hereby amended to read as follows:

34 396.147 1. ~~{The Board of Regents}~~ *A higher education*
35 *governing body or the Office* may require an institution within the
36 *University or* System , *as applicable*, to enter into a memorandum
37 of understanding with an organization that assists persons involved
38 in sexual misconduct. The memorandum of understanding may,
39 without limitation:

40 (a) Allow for cooperation and training between the institution
41 and the organization that assists persons involved in sexual
42 misconduct to establish an understanding of the:

43 (1) Responsibilities that the institution and organization that
44 assists persons involved in sexual misconduct have in responding to



a report or disclosure of an alleged incident of sexual misconduct;
and

(2) Procedures of the institution for providing support and services to students and employees;

(b) Require an organization that assists persons involved in sexual misconduct to:

(1) Assist with developing policies, programming or training at the institution regarding sexual misconduct;

(2) Provide an alternative for a student or employee of the institution to receive free and confidential counseling, advocacy or crisis services related to an alleged incident of sexual misconduct that are located on or off a campus of the institution, including, without limitation:

(I) Access to a health care provider who specializes in forensic medical examinations; and

(II) Confidential services;

(3) Assist with the development and implementation of education and prevention programs for students of the institution; and

(4) Assist with the development and implementation of training and prevention curriculum for employees of the institution; and

(c) Include a fee structure for any services provided by the organization that assists persons involved in sexual misconduct.

2. As used in this section, “forensic medical examination” has the meaning ascribed to it in NRS 217.300.

Sec. 73. NRS 396.148 is hereby amended to read as follows:

396.148 1. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or System, as applicable*, to designate an advocate. If ~~{the Board of Regents}~~ *a higher education governing body or the Office* requires the designation of an advocate, an institution shall designate existing categories of employees who may serve as an advocate. An institution may:

(a) Partner with an organization that assists persons involved in sexual misconduct to designate an advocate; or

(b) If the institution enrolls less than 1,000 students who reside in campus housing, partner with another institution within the *University or System* to designate an advocate.

2. An advocate designated pursuant to subsection 1:

(a) Must not be a Title IX coordinator, a member of campus police or law enforcement or any other official of the institution who is authorized to initiate a disciplinary proceeding on behalf of the institution or whose position at the institution may create a conflict of interest;



(b) Must be designated based on the training or experience of the person to effectively provide services related to sexual misconduct; and

(c) Must have completed at least 20 hours of relevant training.

3. If an institution within the *University or* System designates an advocate pursuant to subsection 1, the advocate must be trained on:

(a) The awareness and prevention of sexual misconduct;

(b) Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.;

(c) Any policy on sexual misconduct adopted by the institution pursuant to NRS 396.145; and

(d) Trauma-informed responses to a report of an alleged incident of sexual misconduct.

4. An institution within the *University or* System that designates an advocate pursuant to subsection 1 shall provide for the availability of an advocate to students within a reasonable distance from the institution or by electronic means if it is not practicable to provide for the availability of an advocate in person.

Sec. 74. NRS 396.149 is hereby amended to read as follows:

396.149 1. If an advocate is designated pursuant to NRS 396.148, the advocate shall:

(a) Inform a student or employee of, or provide resources about how to obtain information on:

(1) Options on how to report an alleged incident of sexual misconduct and the effects of each option;

(2) Counseling services available on a campus of the institution and through local community resources;

(3) Medical and legal services available on or off a campus of the institution;

(4) Available supportive measures;

(5) Counseling related to student loans;

(6) The grievance process of the institution and that the grievance process is not a substitute for the system of criminal justice;

(7) The role of local, state and federal law enforcement agencies;

(8) Any limits on the ability of the advocate to provide privacy or confidentiality to the student or employee; and

(9) A policy on sexual misconduct adopted by the institution pursuant to NRS 396.145;

(b) Notify the student or employee of his or her rights and the responsibilities of the institution regarding an order for protection, restraining order or injunction issued by a court;



(c) Unless otherwise required by state or federal law, not be required to report an alleged incident of sexual misconduct to the institution or a law enforcement agency;

(d) Provide confidential services to students and employees;

(e) Not provide confidential services to more than one party in a grievance process;

(f) Unless otherwise required by state or federal law, not disclose confidential information without the prior written consent of the student or employee who shared the information;

(g) Support a complainant or respondent in obtaining supportive measures to ensure the complainant or respondent has continued access to education; and

(h) Inform a student or employee that supportive measures may be available through disability services or the Title IX coordinator.

2. If an advocate is designated pursuant to NRS 396.148, the advocate may:

(a) If appropriate and if directed by a student or employee, assist the student or employee in reporting an alleged incident of sexual misconduct to the institution or a law enforcement agency; and

(b) Attend a disciplinary proceeding of the institution as the advisor or support person of a complainant.

3. Notice to an advocate of an alleged incident of sexual misconduct or the performance of services by an advocate pursuant to this section shall not constitute actual or constructive notice of an alleged incident of sexual misconduct to the institution within the **University or** System which designated the advocate pursuant to NRS 396.148.

4. If a conflict of interest arises between the institution within the **University or** System which designated an advocate and the advocate in advocating for the provision of supportive measures by the institution to a complainant or a respondent, the institution shall not discipline, penalize or otherwise retaliate against the advocate for advocating for the complainant or the respondent.

Sec. 75. NRS 396.151 is hereby amended to read as follows:

396.151 1. ~~{The Board of Regents}~~ **A higher education governing body or the Office** may prohibit an institution within the **University or** System , **as applicable**, from subjecting a complainant, reporting party or witness who reports an alleged incident of sexual misconduct to a disciplinary proceeding or sanction for a violation of a policy on student conduct related to drug or alcohol use, trespassing or unauthorized entry of school facilities or other violation of a policy of an institution that occurred during or related to an alleged incident of sexual misconduct unless the institution determines that the:



(a) Report of an alleged incident of sexual misconduct was not made in good faith; or

(b) The violation of a policy on student conduct was egregious, including, without limitation, a violation that poses a risk to the health or safety of another person.

2. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or System , as applicable*, to review any disciplinary action taken against a reporting party or witness to determine if there is any connection between the alleged incident of sexual misconduct that was reported and the misconduct that led to the reporting party or witness being disciplined.

Sec. 76. NRS 396.152 is hereby amended to read as follows:

396.152 1. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or System , as applicable*, to provide training on the grievance process of the institution in accordance with 34 C.F.R. § 106.45.

2. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or System , as applicable*, to train the Title IX coordinator and members of the campus police or safety personnel of the institution in the awareness of sexual misconduct and in trauma-informed response to an alleged incident of sexual misconduct.

Sec. 77. NRS 396.153 is hereby amended to read as follows:

396.153 1. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or System , as applicable*, to provide programming on awareness and prevention of sexual misconduct to all students and employees of the institution. If ~~{the Board of Regents}~~ *a higher education governing body or the Office* requires an institution to provide programming on awareness and prevention of sexual misconduct, the programming must include, without limitation:

(a) An explanation of consent as it applies to a sexual act or sexual conduct with another person;

(b) The manner in which drugs and alcohol may affect the ability of a person to consent to a sexual act or sexual conduct with another person;

(c) Information on options for reporting an alleged incident of sexual misconduct, the effects of each option and the method to file a report under each option, including, without limitation, a description of the confidentiality and anonymity, as applicable, of a report;

(d) Information on the grievance process of the institution for addressing a report of an alleged incident of sexual misconduct,



1 including, without limitation, a policy on sexual misconduct adopted
2 pursuant to NRS 396.145;

3 (e) The range of sanctions or penalties the institution may
4 impose on a student or employee found responsible for an incident
5 of sexual misconduct;

6 (f) If an advocate is designated pursuant to NRS 396.148, the
7 name, contact information and role of the advocate;

8 (g) Strategies for intervention by bystanders;

9 (h) Strategies for reduction of the risk of sexual misconduct; and

10 (i) Any other opportunities for additional programming on
11 awareness and prevention of sexual misconduct.

12 2. If an institution provides programming on awareness and
13 prevention of sexual misconduct pursuant to subsection 1, the
14 institution:

15 (a) Shall coordinate with the Title IX coordinator of the
16 institution;

17 (b) May coordinate with a law enforcement agency and, if the
18 institution entered into a memorandum of understanding with an
19 organization that assists persons involved in sexual misconduct
20 pursuant to NRS 396.147, that organization; and

21 (c) Shall require students or employees to attend the
22 programming on the awareness and prevention of sexual
23 misconduct.

24 3. If an institution provides programming on awareness and
25 prevention of sexual misconduct pursuant to subsection 1, the
26 programming may be culturally responsive and address the unique
27 experiences and challenges faced by students based on the race,
28 ethnicity, national origin, economic status, disability, gender identity
29 or expression, immigration status and sexual orientation of a
30 student.

31 **Sec. 78.** NRS 396.154 is hereby amended to read as follows:

32 396.154 ~~{The Board of Regents}~~ *A higher education*
33 *governing body or the Office* may require an institution within the
34 *University or System, as applicable*, that receives a report of an
35 alleged incident of sexual misconduct that involves a student or
36 employee of the institution to determine the responsibility of a
37 respondent, if any, based on a preponderance of the evidence.

38 **Sec. 79.** NRS 396.155 is hereby amended to read as follows:

39 396.155 1. ~~{The Board of Regents}~~ *A higher education*
40 *governing body or the Office* may require an institution within the
41 *University or System, as applicable*, to accept a request from a
42 complainant who is 18 years of age or older to keep the identity of
43 the complainant confidential or take no investigative or disciplinary
44 action against a respondent. An institution shall not grant such a
45 request if state or federal law requires disclosure or further action. In



determining whether to grant such a request, the institution shall consider whether there is a risk that the respondent may commit additional acts of sexual misconduct, violence, discrimination or harassment based on whether one or more of the following factors are present to a sufficient degree such that the request cannot be honored:

(a) There are any previous or existing reports of an incident of sexual misconduct against the respondent, including, without limitation, records of complaints or the arrest of the respondent;

(b) The respondent allegedly used a weapon;

(c) The respondent threatened violence, discrimination or harassment against the complainant or other persons;

(d) The alleged incident of sexual misconduct was alleged to have been committed by two or more people;

(e) The circumstances surrounding the alleged incident of sexual misconduct indicate that the incident was premeditated and, if so, whether the respondent or another person allegedly premeditated the incident;

(f) The circumstances surrounding the alleged incident of sexual misconduct indicate a pattern of consistent behavior at a particular location or by a particular group of people;

(g) The institution is able to conduct a thorough investigation and obtain relevant evidence without the cooperation of the complainant; and

(h) There are any other factors that indicate the respondent may repeat the behavior alleged by the complainant or that the complainant or other persons may be at risk of harm.

2. If an institution within the *University or* System grants a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall take reasonable steps to, without initiating formal action against the respondent:

(a) Respond to the report of the alleged incident of sexual misconduct while maintaining the confidentiality of the complainant;

(b) Limit the effects of the alleged incident of sexual misconduct; and

(c) Prevent the recurrence of any misconduct.

3. Reasonable steps taken pursuant to subsection 2 may include, without limitation:

(a) Increased monitoring, supervision or security at locations or activities where the alleged incident of sexual misconduct occurred;

(b) Providing additional training and educational materials for students and employees; or



(c) Ensuring a complainant is informed of and has access to appropriate supportive measures.

4. If an institution within the *University or* System grants a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall inform the complainant that the ability of the institution to respond to the report of the alleged incident of sexual misconduct will be limited by the request.

5. If an institution within the *University or* System determines that it cannot grant a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall:

(a) Inform the complainant of the determination before disclosing the identity of the complainant or initiating an investigation;

(b) Make available supportive measures for the complainant; and

(c) If requested by the complainant, inform the respondent that the complainant asked the institution not to take investigative or disciplinary action against the respondent.

Sec. 80. NRS 396.156 is hereby amended to read as follows:

396.156 1. In conducting an investigation of an alleged incident of sexual misconduct an institution within the *University or* System shall:

(a) Provide the complainant and the respondent the opportunity to identify witnesses and other evidence to assist the institution in determining whether an alleged incident of sexual misconduct has occurred;

(b) Inform the complainant and the respondent that any evidence available to the party but not disclosed during the investigation might not be considered at a subsequent hearing; and

(c) Ensure that questions and evidence of the sexual history or sexual predisposition of a complainant are not considered relevant unless the:

(1) Questions or evidence are directly relevant to prove that the conduct alleged to have been committed by the respondent was inflicted by another person; or

(2) Questions and evidence are relevant to demonstrate how the parties communicated consent in previous or subsequent consensual sexual conduct.

2. An institution within the *University or* System shall provide periodic updates on the investigation to the complainant and the respondent regarding the timeline of the investigation.



3. An institution within the *University or* System shall notify the complainant and the respondent of the findings of an investigation simultaneously.

4. If an institution within the *University or* System imposes any disciplinary action based on the findings of an investigation on a respondent, such disciplinary action must be imposed in accordance with the grievance process of the institution.

Sec. 81. NRS 396.157 is hereby amended to read as follows:

396.157 1. An institution within the *University or* System may issue a no-contact directive prohibiting the complainant and the respondent from contacting each other. An institution may issue a no-contact directive if the directive is necessary to, without limitation:

(a) Protect the safety or well-being of either the complainant or the respondent; or

(b) Respond to interference with an investigation.

2. A no-contact directive issued against the respondent after a decision of responsibility, if any, has been made must be mutually applied to the complainant and the respondent.

3. If an institution issues a mutual no-contact directive, the institution shall provide the complainant and the respondent with an explanation of the terms of the directive, including, without limitation, that a violation of the directive may subject the party to disciplinary action.

Sec. 82. NRS 396.158 is hereby amended to read as follows:

396.158 1. A student who experiences sexual misconduct may request a waiver from any requirement to maintain a certain grade point average, credit enrollment, or other academic or disciplinary record requirement relating to academic success for any scholarship, grant or other academic program offered by an institution within the *University or* System. A waiver may be granted by a provost, dean, academic advisor or other appropriate staff or faculty member of the institution.

2. A student or employee who experiences sexual misconduct may be granted a request to take a leave of absence or, to the extent practicable, extend benefits of employment.

Sec. 83. NRS 396.159 is hereby amended to read as follows:

396.159 1. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may require an institution within the *University or* System, *as applicable*, to prepare and submit to the ~~{Board of Regents}~~ *higher education governing body or the Office* an annual report that includes, without limitation:

(a) The total number of reports of alleged incidents of sexual misconduct allegedly committed by a student or employee of the institution made to the Title IX office of the institution;



(b) The number of students and employees found responsible for an incident of sexual misconduct by the institution;

(c) The number of students and employees accused of but found not responsible for an incident of sexual misconduct by the institution;

(d) The number of persons sanctioned by the institution as a result of a finding of responsibility for an incident of sexual misconduct; and

(e) The number of persons who submitted requests for supportive measures and the number of persons who received supportive measures.

2. A report submitted pursuant to subsection 1 must not contain any personally identifiable information of a student or employee of an institution within the *University or* System.

3. Information contained in a report submitted pursuant to subsection 1 must be able to be disaggregated by students and employees.

4. If ~~{the Board of Regents}~~ *a higher education governing body or the Office* requires a report to be prepared and submitted pursuant to subsection 1, an institution shall submit the report to the ~~{Board of Regents}~~ *higher education governing body or the Office* not later than October 1 of each year.

5. If ~~{the Board of Regents}~~ *a higher education governing body or the Office* requires a report to be prepared and submitted pursuant to subsection 1, the ~~{Board of Regents}~~ *higher education governing body or the Office* shall, not later than December 31 of each year, submit a compilation of the reports the ~~{Board of Regents}~~ *higher education governing body or the Office* received pursuant to subsection 1 to the Director of the Department of Health and Human Services and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature in even-numbered years or the Joint Interim Standing Committee on Education in odd-numbered years.

6. Any data or reports that underlie the report prepared pursuant to subsection 4 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 84. NRS 396.1595 is hereby amended to read as follows:

396.1595 ~~{The Board of Regents}~~ *Each higher education governing body and the Office, in consultation with each higher education governing body,* may adopt regulations as necessary to carry out the provisions of NRS 396.125 to 396.1595, inclusive.

Sec. 85. NRS 396.210 is hereby amended to read as follows:

396.210 1. After consultation with the faculty, the Board of Regents shall appoint a Chancellor of the ~~{System.}~~ *University.*



2. The Chancellor shall have a degree from a college or university recognized as equal in rank to those having membership in the Association of American Universities.

Sec. 86. NRS 396.220 is hereby amended to read as follows:

396.220 The Board of Regents shall fix the salary of the Chancellor of the ~~{System}~~ *University*.

Sec. 87. NRS 396.230 is hereby amended to read as follows:

396.230 The Board of Regents shall prescribe the duties of the Chancellor and such other officers of the ~~{System}~~ *University* as the Board deems appropriate.

Sec. 88. NRS 396.240 is hereby amended to read as follows:

396.240 The Chancellor and other officers of the ~~{System}~~ *University* shall make such reports to the Board of Regents as they deem appropriate or as the Board of Regents may require.

Sec. 89. NRS 396.251 is hereby amended to read as follows:

396.251 1. The Board of Regents may establish policies and procedures for personnel which govern student employees, physicians engaged in a program for residency training and postdoctoral fellows of the ~~{System}~~ *University* and which are separate from the policies and procedures established for the unclassified personnel of the ~~{System}~~ *University*. *Any higher education governing body other than the Board of Regents may establish such separate policies and procedures for student employees of the System.* Any such policy or procedure does not diminish the eligibility of those persons for coverage as employees under the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS.

2. In establishing policies and procedures pursuant to subsection 1, the Board of Regents *and any other higher education governing body, as applicable*, is not bound by any of the other provisions of this chapter or the provisions of title 23 of NRS. Those provisions do not apply to a student employee, a physician engaged in a program for residency training or a postdoctoral fellow of the *University or System* unless otherwise provided by the Board of Regents ~~{H}~~ *or other higher education governing body, as applicable*.

Sec. 90. NRS 396.255 is hereby amended to read as follows:

396.255 ~~{The Board of Regents}~~ *Each higher education governing body* shall, to carry out the purposes of subsection 3 of NRS 281.221, subsection 3 of NRS 281.230, subsection 3 of NRS 281A.430 and NRS 396.1215, establish policies governing the contracts that faculty members and employees of the *University or System* may enter into or benefit from.



1 **Sec. 91.** NRS 396.260 is hereby amended to read as follows:
2 396.260 Notwithstanding the provisions of any other law, ~~{the~~
3 ~~Board of Regents}~~ *each higher education governing body* may
4 employ any teacher, instructor or professor authorized to teach in
5 the United States under the teacher exchange programs authorized
6 by laws of the Congress of the United States.

7 **Sec. 92.** NRS 396.270 is hereby amended to read as follows:
8 396.270 1. Each teacher, instructor and professor employed
9 by ~~{the Board of Regents}~~ *a higher education governing body*
10 whose compensation is payable out of the public funds, except
11 teachers, instructors and professors employed pursuant to the
12 provisions of NRS 396.260, shall take and subscribe to the
13 constitutional oath of office before entering upon the discharge of
14 his or her duties.

15 2. The oath of office, when taken and subscribed, shall be filed
16 ~~{in the Office of the Board of Regents.}~~ *with the higher education*
17 *governing body or the Office, as applicable.*

18 **Sec. 93.** NRS 396.280 is hereby amended to read as follows:
19 396.280 ~~{The Board of Regents}~~ *A higher education*
20 *governing body* shall have the power to fix the salaries of the
21 academic staff of the ~~{System.}~~ *institution it governs.*

22 **Sec. 94.** NRS 396.290 is hereby amended to read as follows:
23 396.290 Except as otherwise provided in NRS 396.251 and
24 396.7953, all employees of the *University or* System, including
25 those employees who were receiving benefits under the provisions
26 of chapter 204, Statutes of Nevada 1915, and chapter 99, Statutes of
27 Nevada 1943, may elect to receive the benefits provided under the
28 contract of integration entered into between the Board of Regents
29 and the Public Employees' Retirement Board on June 30, 1950,
30 pursuant to the provisions of NRS 286.370 or may exercise an
31 option to receive the benefits provided under NRS 286.802 to
32 286.816, inclusive.

33 **Sec. 95.** NRS 396.300 is hereby amended to read as follows:
34 396.300 ~~{The Board of Regents}~~ *Each higher education*
35 *governing body* may prescribe rules for the reports of officers and
36 teachers of the ~~{System.}~~ *institution it governs.*

37 **Sec. 96.** NRS 396.311 is hereby amended to read as follows:
38 396.311 ~~{The Board of Regents}~~ *Each higher education*
39 *governing body of a community college or the Office, in*
40 *consultation with the higher education governing body of a*
41 *community college,* shall adopt regulations establishing a system of
42 probation for the professional employees of the Community
43 Colleges. The regulations must provide for a probationary period of
44 such length as *the higher education governing body or* the ~~{Board}~~
45 *Office* deems appropriate.



Sec. 97. NRS 396.315 is hereby amended to read as follows:

396.315 ~~{The Board of Regents}~~ *Each higher education governing body of a community college or the Office, in consultation with the higher education governing body of a community college,* shall adopt and promulgate regulations establishing a fair dismissal system for the professional employees of the Community Colleges who have completed probation as required by *the higher education governing body or* the ~~{Board}~~ *Office* pursuant to NRS 396.311. The regulations must provide that no professional employee who has successfully completed his or her probationary period is subject to termination or nonrenewal of his or her contract except for good cause shown. The regulations must specify what constitutes good cause for such termination or nonrenewal of contract, and must include provisions for:

1. Adequate notice;

2. A hearing to determine whether good cause exists, to be held before an impartial hearing officer or hearing committee selected in a manner provided by the ~~{Board;}~~ *higher education governing body or the Office;* and

3. Opportunity for review of the decision of the hearing officer or hearing committee,

➤ in any case involving termination or nonrenewal of the contract of a professional employee who has completed probation.

Sec. 98. NRS 396.320 is hereby amended to read as follows:

396.320 1. The willful neglect or failure on the part of *the Director, the Deputy Director of the Office, any assistant director of a division of the Office or* any teacher, instructor, professor, president or chancellor in the *University or System, as applicable,* to observe and carry out the requirements of this chapter is sufficient cause for the dismissal or removal of the person from his or her position.

2. It is sufficient cause for the dismissal of *the Director, the Deputy Director of the Office, any assistant director of a division of the Office or* any teacher, instructor, professor, president or chancellor in the *University or System, as applicable,* when the person advocates, or is a member of an organization which advocates, overthrow of the Government of the United States or of the State by force, violence or other unlawful means.

Sec. 99. NRS 396.323 is hereby amended to read as follows:

396.323 1. ~~{The Board of Regents;}~~ *Each higher education governing body,* the Chancellor of the ~~{System}~~ *University, the Director* and the presidents of all the branches and facilities within the *University or* System may issue subpoenas in all instances involving disciplinary hearings of members of the *University or* System.



2. Those persons may issue subpoenas requiring the attendance of witnesses before them together with all books, memoranda, papers and other documents relative to the matters under investigation or to be heard, administer oaths and take testimony thereunder.

3. The district court in and for the county in which any hearing is being conducted by any of the persons named in subsection 1 may compel the attendance of witnesses, the giving of testimony and the production of books and papers as required by any subpoena issued by the person holding the hearing.

4. In case of the refusal of any witness to attend or testify or produce any papers required by the subpoena, the person holding the hearing may report to the district court in and for the county in which the hearing is pending by petition, setting forth:

(a) That due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

(b) That the witness has been subpoenaed in the manner prescribed in this chapter; and

(c) That the witness has failed and refused to attend or produce the papers required by subpoena before the person holding the hearing named in the subpoena, or has refused to answer questions propounded to the witness in the course of the hearing,

and asking an order of the court compelling the witness to attend and testify or produce the books or papers before the person.

5. The court, upon petition of the person holding the hearing, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in the order, the time must not be more than 10 days after the date of the order, and then and there show cause why the witness has not attended or testified or produced the books or papers before the person holding the hearing. A certified copy of the order must be served upon the witness. If it appears to the court that the subpoena was regularly issued by the person holding the hearing, the court shall thereupon enter an order that the witness appear before the person at the time and place fixed in the order and testify or produce the required books or papers, and upon failure to obey the order the witness must be dealt with as for contempt of court.

Sec. 100. NRS 396.325 is hereby amended to read as follows:

396.325 ~~{The Board of Regents}~~ *Each higher education governing body or the Office* may:

1. Create a Police Department for the *University or System or an individual campus* and appoint one or more persons to be members of the Department; and



2. Authorize the Department to enter into interlocal agreements pursuant to chapter 277 of NRS with other law enforcement agencies to provide for the rendering of mutual aid.

Sec. 101. NRS 396.327 is hereby amended to read as follows:
396.327 Every member of ~~{the}~~ a Police Department ~~{for the System}~~ *created pursuant to NRS 396.325* must be supplied with, authorized and required to wear a badge bearing the words “University Police, Nevada.”

Sec. 102. NRS 396.328 is hereby amended to read as follows:
396.328 ~~{The}~~ A Police Department ~~{for the System}~~ *created pursuant to NRS 396.325* shall, within 7 days after receipt of a written request of a person who claims to have sustained damages as a result of a crash, or the person’s legal representative or insurer, and upon receipt of a reasonable fee to cover the cost of reproduction, provide the person, his or her legal representative or insurer, as applicable, with a copy of the crash report and all statements by witnesses and photographs in the possession or under the control of the Department that concern the crash, unless:

1. The materials are privileged or confidential pursuant to a specific statute; or

2. The crash involved:

- (a) The death or substantial bodily harm of a person;
- (b) Failure to stop at the scene of a crash; or
- (c) The commission of a felony.

Sec. 103. NRS 396.3291 is hereby amended to read as follows:

396.3291 1. ~~{The Board of Regents}~~ A *higher education governing body* may create on ~~{each}~~ a campus of the *University or System* a campus review board to advise the president or other chief administrative officer of the campus and, upon request, the ~~{Board of Regents}~~ *higher education governing body or the Office* on issues concerning allegations made against peace officers of ~~{the}~~ a Police Department ~~{for the System}~~ *created pursuant to NRS 396.325* involving misconduct while serving on the campus.

2. A campus review board created pursuant to subsection 1 must consist of not less than 15 members.

3. A campus review board must be appointed by the ~~{Board of Regents}~~ *relevant higher education governing body* from a list of names submitted by interested persons within the *campus of the University or System* and in the general public. If an insufficient number of names of persons interested in serving on a campus review board are submitted, the ~~{Board of Regents}~~ *relevant higher education governing body* shall appoint the remaining members in the manner it deems appropriate.

4. A person appointed to a campus review board:



- (a) Must be a resident of this State;
- (b) Must not be employed as a peace officer;
- (c) Must complete training relating to law enforcement before serving as a member of the campus review board, including, without limitation, training in the policies and procedures of ~~the~~ a Police Department ~~for the System,~~ created pursuant to NRS 396.325, the provisions of chapter 284 of NRS, the regulations adopted pursuant thereto and NRS 289.010 to 289.120, inclusive, and the terms and conditions of employment of the peace officers of ~~the System;~~ a Police Department created pursuant to NRS 396.325; and
- (d) Shall serve without salary, but may receive from the University or System such per diem allowances and travel expenses as are authorized by the ~~Board of Regents,~~ relevant higher education governing body.

Sec. 104. NRS 396.3293 is hereby amended to read as follows:

396.3293 A campus review board created pursuant to NRS 396.3291:

1. Does not have jurisdiction over any matter in which it is alleged that a crime has been committed.

2. Shall not abridge the rights of a peace officer of ~~the~~ a Police Department ~~for the System~~ created pursuant to NRS 396.325 that are granted pursuant to a contract or by law.

Sec. 105. NRS 396.3295 is hereby amended to read as follows:

396.3295 1. A campus review board created pursuant to NRS 396.3291 shall meet in panels to carry out its duties.

2. Members must be selected randomly to serve on a panel, and each panel shall select one of its members to serve as chair of the panel.

3. A panel of a campus review board may:

(a) Refer a complaint against a peace officer of ~~the~~ a Police Department ~~for the System~~ created pursuant to NRS 396.325 who has served on the campus to the office of the Police Department ~~for the System~~ on the campus.

(b) Review an internal investigation of such a peace officer and make recommendations regarding any disciplinary action against the peace officer that is recommended by the office of the Police Department ~~for the System~~ on the campus, including, without limitation:

(1) Increasing or decreasing the recommended level of discipline; and

(2) Exonerating the peace officer who has been the subject of the internal investigation.



4. ~~{The}~~ A Police Department ~~{for the System}~~ *created pursuant to NRS 396.325* shall make available to a panel of a campus review board any information within a personnel file that is specific to a complaint against a peace officer of the Police Department ~~{for the System}~~ who has served on the campus, or any other material that is specific to the complaint.

5. When reviewing an internal investigation of a peace officer ~~{of the system}~~ pursuant to subsection 3, a panel of a campus review board shall provide the peace officer with notice and an opportunity to be heard. The peace officer may represent himself or herself at the hearing before the panel or be represented by an attorney or other person of his or her own choosing. The campus review board and ~~{the}~~ any Police Department ~~{for the System}~~ *created pursuant to NRS 396.325* are not responsible for providing such representation.

6. The chair of a panel of a campus review board shall report the findings and recommendations of the panel regarding disciplinary action to the office of the Police Department ~~{for the System}~~ on the campus, the president or other chief administrative officer of the campus and, upon request, the ~~{Board of Regents.}~~ *relevant higher education governing body or the Office.*

7. A proceeding of a panel of a campus review board must be closed to the public.

8. The findings and recommendations of a panel of a campus review board are public records unless otherwise declared confidential by state or federal law.

Sec. 106. NRS 396.340 is hereby amended to read as follows:

396.340 1. The ~~{System}~~ *University* was, and now is, established in accordance with the provisions of the Constitution of the State of Nevada, and also in accordance with the provisions of an Act of Congress entitled “An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts,” approved July 2, 1862 (c. 130, 12 Stat. 503), and acts amendatory thereof or supplementary thereto.

2. The Board of Regents are the proper trustees of the ~~{System}~~ *University* to receive and disburse all appropriations made to this State under the provisions of an Act of Congress entitled “An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two,” approved August 30, 1890 (c. 841, 26 Stat. 419), and all appropriations hereafter to be made under the Act.



3. The Board of Regents shall make a report at the end of each fiscal year, in connection with its annual report to the Governor, of other matters concerning the ~~{System,}~~ **University**, including the amounts received and disbursed under the provisions of this section. The Governor shall transmit all annual reports to the Legislature.

4. The Legislature of Nevada hereby gratefully assents to the purposes of all grants of money made heretofore and all which may hereafter be made to the State of Nevada by Congress, under the Act of Congress, the title of which is recited in subsection 2, and agrees that the grants must be used only for the purposes named in the Act of Congress, or acts amendatory thereof or supplemental thereto.

Sec. 107. NRS 396.350 is hereby amended to read as follows:

396.350 1. The moneys arising from the sale of the 72 sections of land granted this state by the Act of Congress entitled “An act concerning Lands granted to the State of Nevada,” approved July 4, 1866 (c. 166, 14 Stat. 86), for the establishment and maintenance of a university, which sale was directed by the provisions of section 4 of chapter 85, Statutes of Nevada 1873, constitute a fund to be known as the Irreducible University Fund. The money in the Fund must be invested by the Board of Regents in United States bonds, bonds of this state, bonds of other states of the Union or bonds of any county in the State of Nevada. The investments are subject to such further restrictions and regulations as may be provided by law.

2. The interest only of the proceeds resulting from the investments described in subsection 1 must be used for the maintenance of the ~~{System,}~~ **University**, and any surplus interest must be added to the principal sum.

Sec. 108. NRS 396.370 is hereby amended to read as follows:

396.370 1. The following money is hereby set aside and inviolably appropriated for the support and maintenance of the ~~{System,}~~ **University**, and must be paid out for the purposes designated by law creating the several funds:

(a) The interest derived from the investment of all money from the sale of the 90,000 acres of land granted to the State of Nevada by the Act of Congress entitled “An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts,” approved July 2, 1862 (c. 130, 12 Stat. 503).

(b) The interest derived from the investment of all money from the sale of the 72 sections of land granted to the State of Nevada by the Act of Congress entitled “An act concerning certain Lands granted to the State of Nevada,” approved July 4, 1866 (c. 166, 14 Stat. 86), for the establishment and maintenance of a university.



2. Additional state maintenance and support of the ~~{System}~~ **University** must be provided by direct legislative appropriation from the General Fund, upon the presentation of budgets in the manner required by law.

Sec. 109. NRS 396.380 is hereby amended to read as follows:

396.380 1. The members of the Board of Regents are the sole trustees to receive and disburse all money of the ~~{System}~~ **University** for the purposes provided in NRS 396.370.

2. The Board of Regents shall control the expenditures of all money appropriated for the support and maintenance of the ~~{System}~~ **University** and all money received from any other source.

Sec. 110. NRS 396.381 is hereby amended to read as follows:

396.381 1. Before the sale or delivery by the ~~{System}~~ **University** of an obligation to repay money in any form, other than an obligation issued under the University Securities Law, the Board of Regents may delegate to the Chancellor of the ~~{System}~~ **University** or the Vice Chancellor for Finance of the ~~{System}~~ **University** the authority to sign a contract for the sale or exchange of the obligation or to accept a binding bid for the obligation subject to the requirements specified by the Board of Regents concerning:

- (a) The rate or rates of interest on the obligation;
- (b) The dates on which and the prices at which the obligation may be prepaid before maturity;
- (c) The price at which the obligation will be sold or the property for which the obligation will be exchanged;
- (d) The principal amount of the obligation and the amount of principal and interest due on any specific dates; and
- (e) Covenants to protect the owner of the obligation and the ~~{System}~~ **University** that the Chancellor or the Vice Chancellor for Finance determines are necessary or desirable to obtain favorable terms for the ~~{System}~~ **University**. A determination made pursuant to this paragraph, absent fraud or gross abuse of discretion, is conclusive.

2. All terms of the obligation other than:

- (a) The rate or rates of interest;
- (b) The dates and prices for the prepayment of the obligation;
- (c) The price for the sale of the obligation or property for which it will be exchanged;
- (d) The principal amount of the obligation;
- (e) The requirements for the payment of principal and interest on specific dates; and
- (f) Covenants to protect the owner of the obligation and the ~~{System}~~ **University** that the Chancellor or the Vice Chancellor for Finance determines are necessary or desirable to obtain favorable



terms for the ~~{System}~~ **University** as provided in paragraph (e) of subsection 1,

➔ must be approved by the Board of Regents before the obligation is delivered.

3. The final rate or rates of interest, dates and prices of prepayments, price for the sale of the obligation or property for which it is exchanged, principal amount, requirements for payment of principal and interest on specific dates, and covenants as described in paragraph (e) of subsection 1, are not required to be approved by the Board of Regents if each of those terms complies with the requirements specified by the Board of Regents before the contract for the purchase or delivery of the obligation is signed or the bid for the obligation is accepted.

4. The proceeds of any money borrowed pursuant to this section may be invested as provided in NRS 396.861 and 396.8615.

Sec. 111. NRS 396.383 is hereby amended to read as follows:

396.383 1. The **University of Nevada** ~~{System of Higher Education}~~ Accounts Payable Revolving Fund is hereby created. The Board of Regents may deposit the money of the Fund in one or more state or national banks or credit unions in the State of Nevada.

2. The chief business officer of each business center of the ~~{System}~~ **University** shall:

(a) Pay from the fund such operating expenses of the ~~{System}~~ **University** as the Board of Regents may by rule prescribe.

(b) Submit claims to the State Board of Examiners for money of the ~~{System}~~ **University** on deposit in the State Treasury or elsewhere to replace money paid from the **University of Nevada** ~~{System of Higher Education}~~ Accounts Payable Revolving Fund.

Sec. 112. NRS 396.385 is hereby amended to read as follows:

396.385 ~~{The Board of Regents}~~ **Each higher education governing body or the Office** may authorize the chief business officer of each business center of the **University or System** to use a facsimile signature produced through a mechanical device in place of his or her handwritten signature whenever the necessity may arise, subject to the following conditions:

1. The mechanical device must be of such a nature that the facsimile signature may be removed from the mechanical device and kept in a separate secure place.

2. The facsimile signature may only be used under the direction and supervision of the chief business officer of the business center.

3. The registered key to the mechanical device must be kept in a vault at all times when the key is not in use.



Sec. 113. NRS 396.390 is hereby amended to read as follows:

396.390 1. Before payment, all claims of every name and nature involving the payment of money by or under the direction of ~~{the Board of Regents}~~ *a higher education governing body* from funds set aside and appropriated must be passed upon by the State Board of Examiners.

2. ~~{The Board of Regents}~~ *Each higher education governing body or the Office* shall, with the approval of the Governor, require all officers and employees of the *University or* System whose duties, as prescribed by law, require the officers or employees to approve claims against any public funds to file the claims in the office of ~~{the Board of Regents}~~ *the relevant higher education governing body or the Office* for transmittal.

Sec. 114. NRS 396.395 is hereby amended to read as follows:

396.395 1. ~~{The Board of Regents}~~ *Each higher education governing body or the Office* may establish an electronic payment system to pay the salaries and wages of academic staff and employees of the *University or* System through the use of direct deposit.

2. If ~~{the Board of Regents}~~ *a higher education governing body or the Office* establishes an electronic payment system pursuant to subsection 1, upon application by a member of academic staff or an employee, the ~~{Board of Regents}~~ *higher education governing body or the Office* may waive the participation of the member of academic staff or employee in the electronic payment system established pursuant to subsection 1 if:

(a) Participation in the electronic payment system by the member of academic staff or employee would cause the member of academic staff or employee to suffer undue hardship or extreme inconvenience; or

(b) The member of academic staff or employee does not have an account at a financial institution that accepts direct deposit.

3. As used in this section “direct deposit” means payment of the salary and wages of a person by causing the net amount of such person’s salary and wages to be deposited in an account maintained in a financial institution in the name of the person.

Sec. 115. NRS 396.400 is hereby amended to read as follows:

396.400 ~~{The Board of Regents}~~ *Each higher education governing body and the Office* shall keep open to public inspection an account of receipts and expenditures.

Sec. 116. NRS 396.420 is hereby amended to read as follows:

396.420 1. ~~{The Board of Regents}~~ *Each higher education governing body and the Office* may accept and take in the name of the *University or* System, *as applicable*, for the benefit of any branch or facility of the *University or* System, by grant, gift, devise



1 or bequest, any property for any purpose appropriate to the
2 **University or** System.

3 2. Property so acquired must be taken, received, held,
4 managed, invested, and the proceeds thereof used, bestowed and
5 applied by the ~~{Board of Regents}~~ **relevant higher education**
6 **governing body or the Office** for the purposes, provisions and
7 conditions prescribed by the respective grant, gift, devise or bequest.

8 3. Nothing in this chapter prohibits the State of Nevada from
9 accepting and taking by grant, gift, devise or bequest any property
10 for the use and benefit of the **University or** System.

11 **Sec. 117.** NRS 396.430 is hereby amended to read as follows:

12 396.430 1. ~~{The Board of Regents}~~ **Each higher education**
13 **governing body or the Office** may sell or lease any property
14 granted, donated, devised or bequeathed to the **University or** System
15 **, as applicable, if:**

16 (a) The sale or lease is not prohibited by or inconsistent with the
17 provisions or conditions prescribed by the grant, gift, devise or
18 bequest; and

19 (b) The sale or lease is approved by the Governor.

20 2. The proceeds and rents from the sale or lease must be held,
21 managed, invested, used, bestowed and applied by the ~~{Board of~~
22 ~~Regents}~~ **relevant higher education governing body or the Office**
23 for the purposes, provisions and conditions prescribed by the
24 original grant, gift, devise or bequest of the property so sold or
25 leased.

26 **Sec. 118.** NRS 396.431 is hereby amended to read as follows:

27 396.431 1. If the **University or** System sells, leases, transfers
28 or conveys land to, or exchanges land with, a domestic or foreign
29 limited-liability company, the ~~{Board of Regents}~~ **relevant higher**
30 **education governing body or the Office** shall require the domestic
31 or foreign limited-liability company to submit a disclosure to the
32 ~~{Board of Regents}~~ **relevant higher education governing body or**
33 **the Office** setting forth the name of any person who holds an
34 ownership interest of 1 percent or more in the domestic or foreign
35 limited-liability company. The disclosure must be made available
36 for public inspection upon request.

37 2. As used in this section, “land” includes all lands, including
38 improvements and fixtures thereon, lands under water, all easements
39 and hereditaments, corporeal or incorporeal, and every estate,
40 interest and right, legal or equitable, in lands or water, and all rights,
41 interests, privileges, easements, encumbrances and franchises
42 relating to the same, including terms for years and liens by way of
43 judgment, mortgage or otherwise.



Sec. 119. NRS 396.432 is hereby amended to read as follows:

396.432 Any property which is in the possession of any authorized agent of the **University or** System and which is not claimed within 1 year by the owner of the property or the owner's authorized agent or representative must be disposed of by the **University or** System in the following manner:

1. Money may be forfeited to the **University or** System;

2. Personal property may be sold at public auction and the proceeds forfeited to the **University or** System; and

3. Any property not otherwise disposed of as provided in this section must be donated to a charitable institution.

Sec. 120. NRS 396.433 is hereby amended to read as follows:

396.433 1. ~~{The Board of Regents}~~ **A higher education governing body** may budget for and purchase fidelity insurance and insurance against:

(a) Any liability arising under NRS 41.031.

(b) Tort liability on the part of any of its employees resulting from an act or omission in the scope of his or her employment.

(c) The expense of defending a claim against itself whether or not liability exists on such claim.

2. Such insurance shall be limited in amount according to the limitation of liability imposed by NRS 41.035 and shall be purchased from companies authorized to do business in the State of Nevada.

3. Each contract of insurance shall be free of any condition of contingent liability and shall contain a clause which provides that no assessment may be levied against the insured over and above the premium fixed by such contract.

Sec. 121. NRS 396.435 is hereby amended to read as follows:

396.435 1. ~~{The Board of Regents}~~ **A higher education governing body** may by affirmative vote of a majority of its members adopt, amend, repeal and enforce reasonable regulations governing vehicular and pedestrian traffic on all property owned or used by the **institution within the University or** System.

2. The regulations have the force and effect of law.

3. A copy of every such regulation, giving the date that it takes effect, must be filed with the Secretary of State, and copies of the regulations must be published immediately after adoption and issued in pamphlet form for distribution to faculty and students of the **University or campus within the** System and to the general public.

4. A person who violates any regulation adopted pursuant to this section is guilty of a misdemeanor.

Sec. 122. NRS 396.436 is hereby amended to read as follows:

396.436 ~~{The Board of Regents}~~ **Each higher education governing body or the Office** shall cause perpetual inventory



records and controls to be maintained for all equipment, materials and supplies stored or used by or belonging to the *University or System*. Copies of current inventory records and controls must be delivered to the Administrator of the Purchasing Division of the Department of Administration, and the copies must satisfy the requirements of NRS 333.220.

Sec. 123. NRS 396.4365 is hereby amended to read as follows:

396.4365 1. ~~{The Board of Regents}~~ *Each higher education governing body* shall ensure that each university, state college and community college within the *University or System*:

(a) Maintains at the university, state college or community college a material safety data sheet for each hazardous chemical used on the buildings or grounds of the university, state college or community college;

(b) Complies with any safety precautions contained in those sheets; and

(c) Makes those sheets available to all the personnel of the university, state college or community college and the parents of each student attending the university, state college or community college.

2. For the purposes of this section, “material safety data sheet” has the meaning ascribed to it in 29 C.F.R. § 1910.1200.

Sec. 124. NRS 396.437 is hereby amended to read as follows:

396.437 1. Except as otherwise provided in this section, the *University and System* shall recycle or cause to be recycled the paper, paper products, electronic waste and other recyclable materials it produces. This subsection does not apply to:

(a) Construction and demolition waste; or

(b) Confidential documents if there is an additional cost for recycling those documents.

2. Before recycling electronic waste, the *institution within the University or System* shall permanently remove any data stored on the electronic waste.

3. The *institution within the University or System* is not required to comply with the requirements of subsection 1 if the ~~{Board of Regents}~~ *relevant higher education governing body* determines that the cost to recycle or cause to be recycled the paper, paper products, electronic waste and other recyclable materials produced by the *institution within the University or the System* or ~~{one of its}~~ *any relevant* branches or facilities is unreasonable and would place an undue burden on the operations of the ~~{System,}~~ *institution, branch or facility*.

4. Except as otherwise provided in this subsection, ~~{the Board of Regents}~~ *each higher education governing body* shall consult



with the State Department of Conservation and Natural Resources for the disposition of the paper and paper products, electronic waste and other recyclable materials to be recycled, including, without limitation, the placement of recycling containers on the premises of the *institution within the University or* System. This subsection does not apply to construction and demolition waste.

5. Any money received by the *University or* System for recycling or causing to be recycled the paper and paper products, electronic waste and other recyclable materials it produces must be:

- (a) Accounted for separately; and
- (b) Used to carry out the provisions of this section.

6. As used in this section:

(a) “Electronic waste” has the meaning ascribed to it in NRS 444A.0115.

(b) “Paper” has the meaning ascribed to it in NRS 444A.0123.

(c) “Paper product” has the meaning ascribed to it in NRS 444A.0126.

(d) “Recyclable material” has the meaning ascribed to it in NRS 444A.013.

Sec. 125. NRS 396.440 is hereby amended to read as follows:

396.440 ~~{The Board of Regents}~~ *Each higher education governing body* may prescribe the course of study, the commencement and duration of the terms, and the length of the vacations for the *institution within the University or* System.

Sec. 126. NRS 396.500 is hereby amended to read as follows:

396.500 1. Instruction within the *University and* System must be given in the essentials of the Constitution of the United States and the Constitution of the State of Nevada, including the origin and history of the Constitutions and the study of and devotion to American institutions and ideals.

2. The instruction required in subsection 1 must be given during at least 1 year of the college grades.

3. The *University or* System, *as applicable*, shall not issue a certificate or diploma of graduation to a student who has not passed a satisfactory examination upon the Constitutions.

Sec. 127. NRS 396.504 is hereby amended to read as follows:

396.504 1. The Legislature hereby encourages ~~{the Board of Regents}~~ *each higher education governing body and the Office* to:

(a) Examine and audit the function, strengths and most efficient use of the facilities, resources and staff of each institution to address the needs of the students of the *University and* System.

(b) Review periodically their mission for higher education, as the number of institutions within the *University and* System expands and the focus of each institution is defined and further redefined, to determine whether there is unnecessary duplication of



1 programs or courses within the *University or* System which might
2 be more appropriate for a different institution.

3 (c) Examine and audit the educational opportunities, programs
4 and services offered by the institutions within the *University and*
5 System to ensure that those opportunities, programs and services are
6 tailored appropriately to:

7 (1) The different categories of students and prospective
8 students having varied aptitudes, aspirations and educational needs,
9 including, without limitation, students who are veterans;

10 (2) The jobs and industries likely to be employing the
11 students; and

12 (3) The state economic development plan.

13 (d) Insofar as is practicable to achieve the goals set forth in
14 paragraphs (a), (b) and (c), implement measures pursuant to which
15 the educational needs of students and prospective students will be
16 met by:

17 (1) Providing:

18 (I) Programs of remedial education, continuing education
19 and entry-level higher education at community colleges.

20 (II) Programs of baccalaureate-level higher education at
21 state colleges.

22 (III) Programs of baccalaureate-level higher education in
23 other disciplines and graduate-level higher education and research at
24 universities and the Desert Research Institute.

25 (2) Fostering a culture that recognizes the unique challenges
26 of students who are veterans and works to accommodate the
27 transition of those students to higher education by collecting,
28 tracking and sharing data concerning those students.

29 (e) On or before September 1 of each year, provide a report of
30 ~~its~~ *any* findings and any adjustments made and actions taken as a
31 result of those findings to the Director of the Legislative Counsel
32 Bureau for transmission to the Interim Finance Committee and the
33 next regular session of the Nevada Legislature.

34 2. ~~The System~~ *Each higher education governing body* is
35 encouraged to review the core curriculum at each institution to
36 determine whether there is parity among the institutions of the
37 *University and* System.

38 **Sec. 128.** NRS 396.505 is hereby amended to read as follows:

39 396.505 1. ~~The Board of Regents~~ *Each higher education*
40 *governing body* shall prepare a comprehensive plan for the next 4
41 years which explains:

42 (a) Any anticipated new programs and expansions of existing
43 programs of instruction, public service or research, itemized by year
44 and by purpose;



(b) The anticipated cost of each new or expanded program described under paragraph (a);

(c) The amount and source of any money anticipated to be available, from sources other than legislative appropriation, to meet each item of anticipated cost listed pursuant to paragraph (b); and

(d) Any further information concerning its comprehensive planning which the ~~{Board of Regents}~~ *higher education governing body* may deem appropriate.

2. ~~{The Board of Regents}~~ *Each higher education governing body* shall biennially bring the plan up to date for the ensuing 4 years, and shall present the revised plan to the Legislature not later than February 1 of each odd-numbered year.

Sec. 129. NRS 396.509 is hereby amended to read as follows:

396.509 1. ~~{The Board of Regents}~~ *Each higher education governing body* or its designee shall, in consultation with the State approving agency designated pursuant to 38 U.S.C. § 3671 and the American Council on Education, establish ~~{statewide}~~ standards for awarding credit for military education, training or occupational experience. Such standards must include, without limitation, the:

(a) Identification of any military education, training or occupational experience listed on a Joint Services Transcript or an Air University or Community College of the Air Force transcript for which credit must be awarded;

(b) Amount of credit that will be awarded for the completion of such education, training or occupational experience; and

(c) Specific academic program in a community college, state college or university to which such credit is applicable.

2. Credit earned by a student for military education, training or occupational experience must be applicable toward the course work required of the student for the award of an associate's degree, baccalaureate degree or certificate at any university, state college or community college.

Sec. 130. NRS 396.514 is hereby amended to read as follows:

396.514 Instruction within the *University and* System must be given in the essentials of green building construction and design to assist students in preparing for the Leadership in Energy and Environmental Design Professional Accreditation Exam or its equivalent.

Sec. 131. NRS 396.515 is hereby amended to read as follows:

396.515 Instruction within the *University and* System must be given in the essentials of ecology and environmental protection. Such instruction must be included in ~~{the}~~ *each* program developed by *an institution within* the *University or* System for the education of teachers.



1 **Sec. 132.** NRS 396.516 is hereby amended to read as follows:
2 396.516 ~~{The Board of Regents}~~ *Each higher education*
3 *governing body* may approve a ~~{uniform}~~ course of study and
4 develop policies and procedures on the teaching of American Sign
5 Language in the *University or System* ~~{}~~, *as applicable.*

6 **Sec. 133.** NRS 396.517 is hereby amended to read as follows:
7 396.517 1. ~~{The Board of Regents}~~ *Each higher education*
8 *governing body* may plan for and establish a model program to
9 educate and train persons for work in a nursing home.

10 2. The program must be developed and administered through
11 the community colleges and the University of Nevada School of
12 Medicine.

13 3. ~~{The Board of Regents}~~ *Each higher education governing*
14 *body* may carry out the program through a joint venture with one or
15 more nursing homes, but ~~{the Board of Regents}~~ *each relevant*
16 *higher education governing body* must have final authority to direct
17 and supervise the program ~~{}~~ *at each institution which participates*
18 *in the program.*

19 4. ~~{The Board of Regents}~~ *Each higher education governing*
20 *body or the Office* may apply for any available grants and accept
21 any gifts, grants or donations for the support of the program.

22 **Sec. 134.** NRS 396.518 is hereby amended to read as follows:
23 396.518 ~~{The Board of Regents}~~ *Each higher education*
24 *governing body* may, to the extent that money is available ~~{}~~ *and*
25 *pursuant to the classifications described in section 45 of this act,*
26 develop the curriculum and standards required for a student in the
27 *University or System* to earn a bachelor of science degree in dental
28 hygiene or a master's degree in public health dental hygiene.

29 **Sec. 135.** NRS 396.5185 is hereby amended to read as
30 follows:

31 396.5185 1. A college or university within the *University or*
32 *System* is eligible to apply to the State Board for a grant of money
33 to establish the Nevada Institute on Teaching and Educator
34 Preparation.

35 2. The Nevada Institute on Teaching and Educator Preparation
36 shall:

37 (a) Establish a highly selective program for the education and
38 training of teachers that:

39 (1) Recruits promising students pursuing teaching degrees
40 from inside and outside this State, with priority given to students
41 from inside this State;

42 (2) Upon completion of the program, makes a student
43 eligible to obtain a license to teach pupils in a program of early
44 childhood education, kindergarten, any grade from grades 1 through
45 12 or in the subject area of special education in this State;



(3) Is thorough and rigorous and provides a student with increasing professional autonomy and responsibility;

(4) Allows a student to obtain experience in schools that serve high populations of pupils with disabilities or who are at risk or have other significant needs;

(5) Provides, in a manner that is aligned to the demographics of pupils in this State, the skills and knowledge necessary to teach the diverse population of pupils in this State;

(6) Identifies opportunities for placement of students who complete the program in public schools throughout this State; and

(7) Provides instruction concerning the most contemporary and effective pedagogies, curricula, technology and behavior management techniques for teaching;

(b) Identify a target number of students to be selected for participation in the program each year, which must be not less than 25 students;

(c) Establish requirements for each person who has completed the program to serve as a mentor to future students selected for the program and collaborate with the program to build a community among students participating in the program and persons who have completed the program;

(d) Conduct innovative and extensive research concerning approaches and methods used to educate and train teachers and to teach pupils, including, without limitation, pupils with disabilities or pupils who are at risk or have other significant needs; and

(e) Continually evaluate, develop and disseminate approaches to teaching that address the variety of settings in which pupils in this State are educated.

3. The Nevada Institute on Teaching and Educator Preparation may:

(a) Apply for and accept any gift, donation, bequest, grant or other source of money, or property or service provided in kind, for carrying out the duties of the Nevada Institute on Teaching and Educator Preparation; and

(b) Support a student who is participating in the program by allocating money to the student or reimbursing the student for the costs of obtaining a teaching degree or a license to teach pupils.

4. An application to establish the Nevada Institute on Teaching and Educator Preparation pursuant to subsection 1 must demonstrate the ability of the applicant to:

(a) Meet the requirements of subsection 2;

(b) Provide additional money for the establishment and operation of the Institute that matches the grant of money awarded by the State Board; and

(c) Sustain and expand the Institute over time.



5. As used in this section, “pupil ‘at risk’ ” has the meaning ascribed to it in NRS 388A.045.

Sec. 136. NRS 396.519 is hereby amended to read as follows:

396.519 ~~[The Board of Regents]~~ *Each higher education governing body* shall establish a program of student teaching and practicum which requires a division of the *University, System or the Office* to enter into agreements with the school districts in this state for the assignment of ~~[university]~~ students for training purposes as student teachers, counselors or trainees in a library.

Sec. 137. NRS 396.5195 is hereby amended to read as follows:

396.5195 ~~[The Board of Regents]~~ *Each higher education governing body* shall, in cooperation with the State Board and the Council to Establish Academic Standards for Public Schools, ensure that students enrolled in a program developed by the *institution within the University or* System for the education of teachers are provided instruction regarding the standards of content and performance required of pupils enrolled in high schools in this State.

Sec. 138. NRS 396.5198 is hereby amended to read as follows:

396.5198 1. If *an institution within the University or* System offers a course of study for obtaining an endorsement to teach courses relating to financial literacy, the course must require students in the course of study to create a personal finance portfolio or transition plan, which must include, without limitation, details relating to housing, health insurance and postsecondary education and financial aid resources.

2. A student in a course of study offered pursuant to subsection 1 may apply for a Teach Nevada Scholarship from a university, college or other provider of an alternative licensure program that receives a grant from the Teach Nevada Scholarship Program Account created pursuant to NRS 391A.575 to offset the costs of completing a course of study offered pursuant to subsection 1.

Sec. 139. NRS 396.528 is hereby amended to read as follows:

396.528 1. ~~[The Board of Regents]~~ *Each higher education governing body* may plan for and establish programs for the study of energy efficiency and renewable energy resources within the *University and* System.

2. ~~[The Board of Regents]~~ *Each higher education governing body* may carry out a program established pursuant to this section through a joint venture with one or more public or private entities, but the ~~[Board of Regents]~~ *higher education governing body* must have final authority to direct and supervise the program.

3. ~~[The Board of Regents]~~ *Each higher education governing body* may apply for any available grants and accept any gifts, grants



or donations for the support of a program for the study of energy efficiency and renewable energy resources established pursuant to this section.

Sec. 140. NRS 396.529 is hereby amended to read as follows:

396.529 To the extent money is available, ~~{the Board of Regents}~~ *each higher education governing body* shall establish within the fields of science, engineering, business administration and political science within the *University and* System , *as applicable*, programs designed to improve the ability of students in those fields to serve the renewable energy industry in this State.

Sec. 141. NRS 396.530 is hereby amended to read as follows:

396.530 1. ~~{The Board of Regents}~~ *A higher education governing body and the Office* shall not discriminate in the admission of students on account of national origin, religion, age, physical disability, sex, sexual orientation, gender identity or expression, race or color.

2. As used in this section:

(a) “Protective hairstyle” includes, without limitation, hairstyles such as natural hairstyles, afros, bantu knots, curls, braids, locks and twists.

(b) “Race” includes traits associated with race, including, without limitation, hair texture and protective hairstyles.

Sec. 142. NRS 396.5305 is hereby amended to read as follows:

396.5305 1. If ~~{the Board of Regents}~~ *a higher education governing body* adopts rules that require a student to successfully complete courses in mathematics or science before being admitted to an institution within the *University or* System, a student who has successfully completed one or more courses in computer science described in NRS 389.0186 must be allowed to apply not more than one unit of credit received for the completion of such courses toward a requirement to successfully complete a course in:

(a) Science, if the student successfully completed two units of credit in science; or

(b) Mathematics, if the student successfully completed three units of credit in mathematics and successfully completed Algebra II.

2. The State Board shall approve a course in computer science for the purposes of paragraph (b) of subsection 1 if the State Board deems the mathematics component of the course to be sufficiently rigorous.

Sec. 143. NRS 396.531 is hereby amended to read as follows:

396.531 ~~{The Board of Regents}~~ *Each higher education governing body* shall, on or before February 1 of each odd-numbered year submit a written report to the Director of the



Legislative Counsel Bureau for transmittal to the next regular session of the Legislature which includes:

1. By institution within the *University or* System and by each academic program at the institution:

(a) The number of students who enter the academic program;

(b) The percentage of students who complete the academic program; and

(c) The average length of time for completion of the academic program to obtain a degree or certificate.

2. A comparison of the data which is reported pursuant to subsection 1 with available national metrics measuring how states throughout the country rank in the completion of academic programs leading to a degree or certificate and the average time for completion of those programs.

3. Initiatives undertaken by the ~~{Board of Regents}~~ *higher education governing body* to increase the rate of students who complete degree and certificate programs, including initiatives to shorten the time to complete those programs.

4. The number and percentage of students who have obtained employment within their field of study in this State, and the average starting salary, which must be reported by institution within the *University or* System and by each academic program at the institution. The data must be:

(a) Matched with industries identified in state economic development goals to determine whether students who graduated and obtained a degree or certificate are finding employment in those industries in this State; and

(b) Based upon the employment and wage information provided by the Director of the Department of Employment, Training and Rehabilitation pursuant to NRS 232.920.

5. Initiatives undertaken by the ~~{Board of Regents}~~ *higher education governing body* to align the degree and certificate programs offered by the institutions within the *University or* System with the economic development goals identified by the Office of Economic Development.

Sec. 144. NRS 396.532 is hereby amended to read as follows:

396.532 1. ~~{The Board of Regents of the University of Nevada}~~ *Each higher education governing body* shall, not later than February 1 of each odd-numbered year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, a report concerning the participation of ethnic and racial minorities, women and other members of protected classes in the *institution within the University or* System. The report must cover each of the immediately preceding 2 academic years.



2. ~~{The Board}~~ *Each higher education governing body* shall make the report submitted pursuant to subsection 1 available to the general public, including publishing it on the *Internet* website maintained by the *institution within the University or System* ~~H~~ *or the Office*.

3. The report must include, but is not limited to:

(a) The number of students divided by ethnic category;

(b) The number of employees divided by ethnic category and occupational classification, as defined by the National Center for Education Statistics;

(c) The number of students divided by gender;

(d) The number of employees divided by gender and occupational classification, as defined by the National Center for Education Statistics;

(e) Any information necessary to determine the impact of policy changes on the number of protected classes specified in subsection 1 who are enrolled at or employed by the *institution within the University or System*;

(f) The efforts of each institution to increase the enrollment in underrepresented ethnic and racial categories through outreach programs and recruitment to maintain levels of minority enrollment comparable to the distribution of the population of the State; and

(g) The efforts of each institution to retain and graduate students in underrepresented ethnic and racial categories through retention and other related programs.

Sec. 145. NRS 396.533 is hereby amended to read as follows:

396.533 A student who is enrolled in a university, state college or community college within the *University or System* must be granted access to all the library facilities that are available to students enrolled in any of the institutions within the *University or System* and must be adequately informed of the library services that are available.

Sec. 146. NRS 396.535 is hereby amended to read as follows:

396.535 1. ~~{The Board of Regents}~~ *Each higher education governing body* shall prescribe a form that provides for the informed consent of students concerning the directory information that a university, university foundation, state college or community college, as applicable, makes public. The form must:

(a) Allow each student a reasonable opportunity to indicate whether the student opts not to authorize the release or disclosure of personally identifiable information concerning the student for:

(1) Commercial purposes, without the prior written consent of the student;

(2) Noncommercial purposes, without the prior written consent of the student; or



(3) Both commercial and noncommercial purposes, without the prior written consent of the student.

(b) Inform the student that:

(1) If the student does not return the form indicating that his or her personally identifiable information must not be released or disclosed, then it is probable that the information will be released or disclosed.

(2) If the student returns the form indicating that his or her personally identifiable information must not be released or disclosed, then the university, university foundation, state college or community college, as applicable, will not release or disclose the information without the student's prior written consent.

(c) Be included with the other forms required for admission to the university, state college or community college, as applicable.

2. Except as otherwise required by federal law, a university, university foundation, state college or community college shall not release, disclose or otherwise use any personally identifiable information concerning a student without the prior written consent of the student for:

(a) Commercial or noncommercial purposes if the student has returned a form indicating that the student does not authorize release or disclosure for those purposes without his or her consent;

(b) Commercial purposes if the student has returned a form indicating that the student does not authorize release or disclosure for those purposes without his or her consent; or

(c) Noncommercial purposes if the student has returned a form indicating that the student does not authorize release or disclosure for those purposes.

3. As used in this section:

(a) "Commercial purposes" means the use of directory information by any person, including, without limitation, a corporation or other business, outside of the **University or** System to solicit or provide facilities, goods or services in exchange for the payment of any purchase price, fee, contribution, donation or other valuable consideration.

(b) "Directory information" has the meaning ascribed to it in 20 U.S.C. § 1232g(a)(5)(A).

(c) "Personally identifiable information" means information that may be used to identify a person, including, without limitation, the name, address, telephone number, date of birth, and directory information of a person.

(d) "University foundation" has the meaning ascribed to it in NRS 396.405.

Sec. 147. NRS 396.540 is hereby amended to read as follows:

396.540 1. For the purposes of this section:



(a) “Bona fide resident” shall be construed in accordance with the provisions of NRS 10.155 and policies established by ~~the Board of Regents,~~ *each higher education governing body*, to the extent that those policies do not conflict with any statute. The qualification “bona fide” is intended to ensure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) “Matriculation” has the meaning ascribed to it in regulations adopted by ~~the Board of Regents,~~ *a higher education governing body or the Office, in consultation with a higher education governing body.*

(c) “Tuition charge” means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. ~~The Board of Regents~~ *Each higher education governing body* may fix a tuition charge for students at all campuses of *the institution within the University or System* ~~it governs,~~ but tuition charges must not be assessed against:

(a) All students whose families have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the *University or System*;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 12 months before their matriculation at a university, state college or community college within the *University or System*;

(c) All students whose parent, legal guardian or spouse is a member of the Armed Forces of the United States who:

(1) Is on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California; or

(2) Was on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California, on the date on which the student is admitted to an institution of the *University or System* if such students enroll and maintain continuous enrollment at an institution of the *University or System*;

(d) All students who are using benefits under the Marine Gunnery Sergeant John David Fry Scholarship pursuant to 38 U.S.C. § 3311(b)(8);



(e) All public school teachers who are employed full-time by school districts in the State of Nevada;

(f) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS;

(g) Employees of the **University or** System who take classes other than during their regular working hours;

(h) Members of the Armed Forces of the United States who are on active duty and stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California;

(i) Veterans of the Armed Forces of the United States who were honorably discharged and who were on active duty while stationed at a military installation in the State of Nevada or a military installation in another state which has a specific nexus to this State, including, without limitation, the Marine Corps Mountain Warfare Training Center located at Pickel Meadow, California, on the date of discharge;

(j) Except as otherwise provided in subsection 3, veterans of the Armed Forces of the United States who were honorably discharged;

(k) Veterans of the Armed Forces of the United States who have been awarded the Purple Heart;

(l) All students who are:

(1) Veterans using Post-9/11 Educational Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive, and became eligible for such benefits on or after January 1, 2013; or

(2) Spouses or dependents using Post-9/11 Educational Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive;

(m) All students who are using Survivors' and Dependents' Educational Assistance pursuant to 38 U.S.C. §§ 3500 to 3566, inclusive; and

(n) Students who graduated from a high school located in this State, regardless of whether the student or the family of the student have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the **University or** System.

3. ~~[The Board of Regents]~~ **A higher education governing body** may grant more favorable exemptions from tuition charges for veterans of the Armed Forces of the United States than the exemptions provided pursuant to subsection 2, if required for the receipt of federal money.

4. ~~[The Board of Regents]~~ **A higher education governing body** may grant exemptions from tuition charges each semester to other



worthwhile and deserving students from other states and foreign countries, in a number not to exceed a number equal to 3 percent of the total matriculated enrollment of students for the last preceding fall semester.

Sec. 148. NRS 396.542 is hereby amended to read as follows:

396.542 1. In fixing a tuition charge for students at any ~~campus of~~ institution within the University or System as provided by NRS 396.540 and in setting the amount of registration fees and other fees which are assessed against students, ~~the Board of Regents~~ a higher education governing body may provide for the adjustment of the amount of the tuition charge or registration fee or other fee based on the demand for or the costs of carrying out the academic program or major for which the tuition charge, registration fee or other fee is assessed, including, without limitation, the costs of professional instruction, laboratory resources and other ancillary support.

2. If ~~the Board of Regents~~ a higher education governing body provides for the adjustment of tuition charges, registration fees or other fees in the manner authorized by subsection 1, the ~~Board of Regents~~ higher education governing body shall establish a program to authorize scholarships and reduced fees for students who are economically disadvantaged and who are enrolled in academic programs or majors for which the adjustment of tuition charges, registration fees or other fees in the manner authorized by subsection 1 results in an increase in the costs of enrollment in such programs or majors.

3. If ~~the Board of Regents~~ a higher education governing body provides for the adjustment of tuition charges, registration fees or other fees in the manner authorized by subsection 1, the ~~Board of Regents~~ higher education governing body shall, on or before February 1 of each year, submit a written report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, or to the Legislative Commission if the Legislature is not in session, which must, without limitation:

(a) Identify the demand for each academic program and major;
(b) Identify the costs of providing each academic program and major; and

(c) Include a schedule of all tuition charges, registration fees and other fees assessed for each academic program and major.

4. As used in this section, "tuition charge" has the meaning ascribed to it in NRS 396.540.

Sec. 149. NRS 396.543 is hereby amended to read as follows:

396.543 1. ~~The Board of Regents~~ A higher education governing body may enter into an agreement with another state for the granting of full or partial waivers of the nonresident tuition to



1 residents of the other state who are students at or are eligible for
2 admission to any branch of the **University or** System if the
3 agreement provides that, under substantially the same
4 circumstances, the other state will grant reciprocal waivers to
5 residents of Nevada who are students at or are eligible for admission
6 to universities or colleges in the other state.

7 2. Each agreement must specify:

8 (a) The criteria for granting the waivers; and

9 (b) The specific universities, state colleges and community
10 colleges for which the waivers will be granted.

11 3. ~~{The Board of Regents}~~ **A higher education governing body**
12 shall provide by regulation for the administration of any waivers for
13 which an agreement is entered into pursuant to subsection 1.

14 4. The waivers granted pursuant to this section must not be
15 included in the number of waivers determined for the purpose of
16 applying the limitation in subsection 4 of NRS 396.540.

17 **Sec. 150.** NRS 396.544 is hereby amended to read as follows:

18 396.544 1. ~~{The Board of Regents of the University of~~
19 **Nevada}** **A higher education governing body** may grant a waiver of
20 registration fees and laboratory fees for any member of the active
21 Nevada National Guard, including, without limitation, a recruit, who
22 attends a school within the **University or** System as a full-time or
23 part-time student.

24 2. A member of the active Nevada National Guard who has
25 reenlisted may, in lieu of using the waiver himself or herself and
26 regardless of whether the member was granted a waiver pursuant to
27 this section before reenlistment:

28 (a) Assign such a waiver to his or her spouse or child for credits
29 applicable toward the course work required for the award to the
30 spouse or child of an associate's degree, baccalaureate degree or
31 certificate at any school within the **University or** System.

32 (b) Reassign such a waiver to his or her spouse or child, as
33 applicable, if the person to whom the waiver was assigned pursuant
34 to paragraph (a) does not use the waiver to attend a school within
35 the **University or** System as a full-time or part-time student.

36 ➤ For each period of reenlistment of a member, the benefit
37 provided pursuant to this subsection may only be used by one
38 eligible person.

39 3. For the purpose of assessing fees and charges against a
40 person to whom a waiver is granted, assigned or reassigned pursuant
41 to subsection 1 or 2, including, without limitation, tuition charges
42 pursuant to NRS 396.540, such a person shall be deemed to be a
43 bona fide resident of this State.

44 4. A person must be a member in good standing of the active
45 Nevada National Guard, including, without limitation, a recruit, at



1 the beginning of and throughout the entire semester for which the
2 waiver is granted.

3 5. A person to whom a waiver is granted, assigned or
4 reassigned pursuant to subsection 1 or 2 must maintain at least a 2.0
5 grade point average, on a 4.0 grading scale, each semester for which
6 the waiver is granted, assigned or reassigned, or the equivalent of a
7 2.0 grade point average if a different grading scale is used.

8 6. ~~{The Board of Regents}~~ **A higher education governing body**
9 may request the Adjutant General to verify the membership in the
10 active Nevada National Guard of a person who is seeking or has
11 been granted a waiver of registration fees and laboratory fees
12 pursuant to subsection 1 ~~H~~ or 2.

13 7. The Adjutant General shall:

14 (a) Upon receiving a request from ~~{the Board of Regents}~~ **a**
15 **higher education governing body** pursuant to subsection 6, notify
16 the ~~{Board of Regents}~~ **higher education governing body** in writing
17 concerning the status and dates of membership of a person who is
18 seeking or has been granted a waiver of registration fees and
19 laboratory fees pursuant to subsection 1.

20 (b) Maintain a record of any waiver that has been granted,
21 assigned or reassigned pursuant to subsection 1 or 2 and the person
22 to whom the waiver was assigned or reassigned.

23 (c) Before the beginning of each semester, certify in writing to
24 the ~~{Board of Regents}~~ **higher education governing body** that a
25 waiver has been properly assigned or reassigned to the person
26 seeking to use the waiver to attend a school within the **University or**
27 **System**.

28 8. If a waiver is granted pursuant to subsection 1 for a recruit
29 and the recruit does not enter full-time National Guard duty within 1
30 year after enlisting, the recruit shall reimburse the ~~{Board of~~
31 ~~Regents}~~ **higher education governing body** for all registration fees
32 and laboratory fees waived on behalf of the recruit if the recruit's
33 failure to enter full-time National Guard duty is attributable to his or
34 her own conduct.

35 9. As used in this section:

36 (a) "Full-time National Guard duty" has the meaning ascribed to
37 it in 32 U.S.C. § 101(19).

38 (b) "Recruit" means a person who has enlisted in the Nevada
39 National Guard but has not begun his or her required military duty.

40 (c) "Spouse" includes a domestic partner as set forth in
41 NRS 122A.200.

42 **Sec. 151.** NRS 396.5442 is hereby amended to read as
43 follows:

44 396.5442 1. ~~{The Board of Regents}~~ **A higher education**
45 **governing body** may grant a waiver of registration fees and



laboratory fees for a child, widow or widower of a person who was killed while performing his or her duties as a member of the Nevada National Guard. For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.

2. A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.

3. A child may use a waiver granted pursuant to this section for 10 years after the child attains the age of 18 years or, if the child enrolls in the **University or** System before the age of 18 years, for 10 years after the date of such enrollment. A widow or widower may use a waiver granted pursuant to this section for 10 years after the date of the death of the member.

4. ~~{The Board of Regents}~~ **A higher education governing body** may request the Adjutant General to verify that a person is the child, widow or widower of a person who was killed while performing his or her duties as a member of the Nevada National Guard. The Adjutant General shall, upon receiving such a request, notify the ~~{Board of Regents}~~ **higher education governing body** in writing concerning the status of that person.

Sec. 152. NRS 396.5443 is hereby amended to read as follows:

396.5443 1. ~~{The Board of Regents}~~ **A higher education governing body** shall grant a waiver of the payment of registration fees, laboratory fees and any other mandatory fees assessed each semester against a student who is a veteran of the Armed Forces of the United States who has been awarded the Purple Heart.

2. The amount of the waiver must be equal to:

(a) If the student is entitled to receive any federal educational benefits for a semester, the balance of registration fees, laboratory fees and any other mandatory fees assessed against the student that remain unpaid after the student's account has been credited with the full amount of the federal educational benefits to which the student is entitled for that semester; or

(b) If the student is not entitled to receive any federal educational benefits for a semester, the full amount of the registration fees, laboratory fees and any other mandatory fees assessed against the student for that semester.

3. The waiver must be granted to a student who enrolls in any program offered by a school within the **University or** System, including, without limitation, a trade or vocational program, a graduate program or a professional program.



4. For the purpose of assessing fees and charges against a student to whom a waiver is granted pursuant to this section, including, without limitation, tuition charges pursuant to NRS 396.540, such a student shall be deemed to be a bona fide resident of this State.

5. ~~{The Board of Regents}~~ *A higher education governing body* may grant more favorable waivers of registration fees, laboratory fees and any other mandatory fees for veterans of the Armed Forces of the United States who have been awarded the Purple Heart than the waiver provided pursuant to this section if required for the receipt of federal money.

Sec. 153. NRS 396.5445 is hereby amended to read as follows:

396.5445 1. ~~{The Board of Regents}~~ *A higher education governing body* may grant a waiver of registration fees and laboratory fees for a spouse or child of a person who is identified as a prisoner of war or missing in action while performing his or her duties as a member of the Armed Forces of the United States. For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.

2. A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.

3. A spouse may use a waiver granted pursuant to this section for 10 years after the date on which the member of the Armed Forces was identified as a prisoner of war or missing in action. A child may use a waiver granted pursuant to this section for 10 years after the child attains the age of 18 years or, if the child enrolls in the *University or* System before the age of 18 years, for 10 years after the date of such enrollment.

4. ~~{The Board of Regents}~~ *A higher education governing body* may request such documentation as it deems necessary to verify that a person is the spouse or child of a member of the Armed Forces of the United States who is identified as a prisoner of war or missing in action while performing his or her duties as a member of the Armed Forces.

Sec. 154. NRS 396.5446 is hereby amended to read as follows:

396.5446 1. ~~{The Board of Regents}~~ *A higher education governing body* may grant a waiver of not less than half of the total registration fees and other fees for a veteran who is a bona fide resident of this State if:



(a) The veteran has completed a bachelor's degree and is enrolled in or plans to enroll in a graduate degree program within the fields of science, technology, engineering, arts, mathematics or health science designated as a critical need occupation by the Department of Employment, Training and Rehabilitation pursuant to NRS 232.932; and

(b) The veteran or a third party will pay the remainder of the registration fees and other fees of the graduate degree program.

➤ For the purpose of this subsection, a scholarship or a waiver of registration fees or other fees received by the veteran for any reason other than this subsection is deemed to be a payment by a third party.

2. A veteran is eligible for a waiver pursuant to subsection 1 if the veteran maintains at least a 2.75 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.75 grade point average if a different scale is used.

3. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 155. NRS 396.5447 is hereby amended to read as follows:

396.5447 1. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may determine whether grants are available to assist *an institution within the University or {Nevada} System {of Higher Education}* in defraying the costs of granting the waiver of registration fees and other fees to a veteran pursuant to NRS 396.5446 and apply for and accept any such grant.

2. ~~{The Board of Regents}~~ *A higher education governing body or the Office* may accept gifts, grants, bequests and donations to fund waivers of registration fees and other fees granted to veterans pursuant to NRS 396.5446.

Sec. 156. NRS 396.5448 is hereby amended to read as follows:

396.5448 1. ~~{The Board of Regents}~~ *A higher education governing body* may grant a waiver of registration fees and laboratory fees for a person who is identified as a homeless or unaccompanied pupil. For the purpose of assessing fees and charges against a person to whom such a waiver is granted, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.

2. A person is eligible for a waiver pursuant to subsection 1 if the person maintains at least a 2.0 grade point average, on a 4.0 grading scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used.

3. A person may use a waiver granted pursuant to subsection 1 for 10 years after the person attains the age of 18 years or, if the



1 person enrolls in the *University or* System before the age of 18
2 years, for 10 years after the date of such enrollment.

3 4. The ~~[Board of Regents]~~ *higher education governing body*
4 may request documentation from a person requesting a waiver
5 pursuant to subsection 1 as it deems necessary to verify that such a
6 person was a homeless or unaccompanied pupil.

7 5. As used in this section:

8 (a) “Homeless pupil” has the meaning ascribed to the term
9 “homeless children and youths” in 42 U.S.C. § 11434a(2).

10 (b) “Unaccompanied pupil” has the meaning ascribed to the
11 term “unaccompanied youth” in 42 U.S.C. § 11434a(6).

12 **Sec. 157.** NRS 396.5449 is hereby amended to read as
13 follows:

14 396.5449 1. ~~[The Board of Regents]~~ *A higher education*
15 *governing body* shall grant a waiver of the payment of registration
16 fees, laboratory fees and any other mandatory fees assessed each
17 semester against a student who is Native American and
18 demonstrates that the student:

19 (a) Is a member of a federally recognized Indian tribe or nation,
20 all or part of which is located within the boundaries of this State, or
21 who is certified by the enrollment department of such a tribe or
22 nation or by the Bureau of Indian Affairs as being a descendant of
23 an enrolled member of such a tribe or nation, all or part of which is
24 located within the boundaries of this State, regardless of
25 membership status;

26 (b) Is eligible for enrollment in a school within the *University or*
27 System;

28 (c) Has been a resident of this State for not less than 1 year;

29 (d) Has maintained at least a 2.0 grade point average, on a 4.0
30 scale, each semester or the equivalent of a 2.0 grade point average if
31 a different scale is used; and

32 (e) Has completed the Free Application for Federal Student Aid
33 provided for by 20 U.S.C. § 1090.

34 2. The amount of the waiver must be equal to:

35 (a) If the student is entitled to receive any federal educational
36 benefits for a semester, the balance of registration fees, laboratory
37 fees and any other mandatory fees assessed against the student that
38 remain unpaid after the student’s account has been credited with the
39 full amount of the federal educational benefits to which the student
40 is entitled for that semester; or

41 (b) If the student is not entitled to receive any federal
42 educational benefits for a semester, the full amount of the
43 registration fees, laboratory fees and any other mandatory fees
44 assessed against the student for that semester.



3. The waiver must be granted to a student who enrolls in any program offered by a school within the *University or* System, including, without limitation, a trade or vocational program, a graduate program or a professional program.

4. For the purpose of assessing fees and charges against a person to whom such a waiver is granted, the person shall be deemed to be a bona fide resident of this State.

5. ~~{The Board of Regents}~~ *A higher education governing body* may request documentation confirming that the student is a member or descendant of a member of a federally recognized Indian tribe or nation, all or part of which is located within the boundaries of this State.

Sec. 158. NRS 396.54495 is hereby amended to read as follows:

396.54495 ~~{The Board of Regents}~~ *A higher education governing body* shall, on or before September 1 of each calendar year, prepare and submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Nevada Legislature that includes, without limitation, aggregated data for:

1. The number of students that qualify for a waiver of registration fees, laboratory fees and any other mandatory fees pursuant to NRS 396.5449.

2. The total funding made available for the waiver of registration fees, laboratory fees and any other mandatory fees pursuant to NRS 396.5449, including, without limitation, gifts, grants, donations and federal contributions.

Sec. 159. NRS 396.545 is hereby amended to read as follows:

396.545 1. To the extent of money available for this purpose, ~~{the Board of Regents}~~ *a higher education governing body* shall pay all registration fees, laboratory fees and expenses for required textbooks and course materials assessed against or incurred by a dependent child of a public safety officer who was killed in the line of duty or any other public employee who was killed in the performance of his or her duties, for classes taken towards satisfying the requirements of an undergraduate degree at a school within the *University or* System. No such payment may be made for any fee assessed after the child reaches the age of 23 years.

2. There is hereby created in the State General Fund a Trust Account for the Education of Dependent Children. The Board of Regents shall administer the Account. The ~~{Board of Regents}~~ *Office* may accept gifts and grants for deposit in the Account. All money held by the State Treasurer or received by the ~~{Board of Regents}~~ *Office* for that purpose must be deposited in the Account. The money in the Account must be invested as the money in other state accounts is invested. After deducting all applicable charges, all



1 interest and income earned on the money in the Account must be
2 credited to the Account. Any money remaining in the Account at the
3 end of a fiscal year does not revert to the State General Fund, and
4 the balance in the Account must be carried forward to the next fiscal
5 year.

6 3. For each fiscal year, the ~~{Board of Regents}~~ Office shall
7 estimate:

8 (a) The amount of money in the Trust Account that is available
9 to make payments pursuant to subsection 1 for that fiscal year; and

10 (b) The anticipated amount of such payments for that fiscal year.
11 ➤ If the anticipated amount of payments estimated for the fiscal
12 year exceeds the estimated amount of money available in the
13 Account in the fiscal year for such payments, the ~~{Board of Regents}~~
14 Office may request an allocation from the Contingency Account
15 created in the State General Fund pursuant to NRS 353.266 to cover
16 the projected shortfall.

17 4. As used in this section:

18 (a) “Firefighter” means a person who is a salaried employee or
19 volunteer member of a:

20 (1) Fire prevention or suppression unit organized by a local
21 government and whose principal duty is to control and extinguish
22 fires; or

23 (2) Fire-fighting agency.

24 (b) “Fire-fighting agency” has the meaning ascribed to it in
25 NRS 450B.072.

26 (c) “Local government” means a county, city, unincorporated
27 town or metropolitan police department.

28 (d) “Member of a rescue or emergency medical services crew”
29 means:

30 (1) A member of a search and rescue organization in this
31 State under the direct supervision of any county sheriff;

32 (2) A person licensed as an attendant pursuant to chapter
33 450B of NRS if the person is a salaried employee of a public agency
34 and is not retained under contract to perform services for the public
35 agency;

36 (3) A person certified as an emergency medical technician,
37 advanced emergency medical technician or paramedic pursuant to
38 chapter 450B of NRS if the person is a salaried employee or
39 volunteer of a public agency and is not retained under contract to
40 perform services for the public agency; or

41 (4) A volunteer attendant as that term is defined in
42 NRS 450B.110.

43 (e) “Peace officer” means a category I peace officer, category II
44 peace officer or category III peace officer as those terms are defined
45 in NRS 289.460, 289.470 and 289.480, respectively.



(f) “Public agency” means an agency, bureau, commission, department or division of the State of Nevada or a political subdivision of the State of Nevada that provides police, firefighting, rescue or emergency medical services.

(g) “Public employee” means any person who performs public duties for compensation paid by or through the State, a county, city, local government or other political subdivision of the State or an agency thereof.

(h) “Public employee who was killed in the performance of his or her duties” includes, without limitation, a public employee who dies as a result of injuries sustained in the performance of his or her duties.

(i) “Public safety officer” means a person serving a public agency in an official capacity, with or without compensation, as a peace officer, a firefighter or a member of a rescue or emergency medical services crew.

(j) “Public safety officer who was killed in the line of duty” includes, without limitation, a public safety officer who dies as a result of injuries sustained in the line of duty.

Sec. 160. NRS 396.5453 is hereby amended to read as follows:

396.5453 1. ~~{The Board of Regents}~~ **A higher education governing body** shall, not later than November 30 of each year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Joint Interim Standing Committee on Education when the Legislature is not in regular session, a report concerning the participation of students who are veterans in **an institution within the University or** System. The report must cover the immediately preceding academic year.

2. The report must include, without limitation:

(a) The number of students who:

(1) Identify themselves as veterans.

(2) Are receiving payments or benefits from the United States Department of Veterans Affairs.

(b) The number of students who are veterans, divided by gender.

(c) The rate of retention and average age of the students who are veterans.

(d) The most common areas of study among the students who are veterans.

(e) Any information necessary to determine the impact of policy changes on the number of students who are veterans in **an institution within the University or** System.

(f) The number of students who are veterans who graduated during the immediately preceding academic year.



(g) The efforts of each institution to retain and graduate students who are veterans through retention and other related programs.

Sec. 161. NRS 396.5455 is hereby amended to read as follows:

396.5455 ~~[The Board of Regents]~~ *A relevant higher education governing body* shall require each nursing program in the *University or* System to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.

Sec. 162. NRS 396.5457 is hereby amended to read as follows:

396.5457 ~~[The Board of Regents]~~ *A relevant higher education governing body* shall require each program developed by *an institution within* the *University or* System for the education of teachers to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.

Sec. 163. NRS 396.546 is hereby amended to read as follows:

396.546 1. In the most timely manner practicable after receiving a written request for an electronic version of instructional material from a student with a print access disability, an institution shall provide to the student, at no cost, an electronic version of each requested instructional material that the institution determines is essential to the success of the student in a course of study offered by an institution of the *University or* System in which the student is enrolled.

2. If an institution receives a request for an electronic version of nonprinted instructional material from a student pursuant to subsection 1 to whom the institution would be required to provide an electronic version of the material pursuant to subsection 1 and an electronic version of the nonprinted instructional material is not currently available at the institution or at another institution of the *University or* System, the institution must contact the publisher of the nonprinted instructional material and request an electronic version of the nonprinted instructional material. If the publisher:

(a) Has an electronic version of the nonprinted instructional material, the publisher must provide the electronic version to the institution for distribution to the student; or

(b) Does not have an electronic version of the nonprinted instructional material, the institution must create and provide to the student an electronic version in the most timely manner practicable after the institution is notified by the publisher that the publisher does not have an electronic version of the nonprinted instructional material.

3. As used in this section:

(a) "Institution" means any university, state college or community college within the *University or* System.



(b) “Instructional material” means any published textbook and other published material that is used by students of the **University or System**. The term does not include nontextual mathematics and science materials unless, as determined by ~~{the Board of Regents,}~~ **a higher education governing body**, such materials are commercially available in a format that is compatible for use with equipment which is used by students of the **University or System** with print access disabilities to convert material into a format that provides them with the ability to have increased independent access to the material. The term includes, without limitation, nonprinted instructional material.

(c) “Nonprinted instructional material” means instructional material that is in a format other than print. The term does not include a website or Internet link that is associated with instructional material. The term includes, without limitation, instructional material that requires electronic equipment other than a computer or computer peripheral for the material to be used as a learning resource, such as a software program, videodisc, videotape and audiotape.

(d) “Print access disability” means a condition in which a person’s independent reading of, reading comprehension of, or visual access to printed material is limited or reduced because of a sensory, neurological, cognitive, physical or psychiatric disability.

Sec. 164. NRS 396.5465 is hereby amended to read as follows:

396.5465 A university, state college or community college within the **University or System** shall ensure that information relating to mental health resources appears on any identification card newly issued to or reprinted for a student of the university, state college or community college. The information must include, without limitation, the telephone number and a text messaging option for the National Suicide Prevention Lifeline, or its successor organization.

Sec. 165. NRS 396.547 is hereby amended to read as follows:

396.547 1. The student body of each ~~{branch-of}~~ **institution within the University or System** may establish a student government. The student government shall adopt a set of bylaws which are subject to the approval of:

(a) A majority of the students who vote in an election held for that purpose; and

(b) The ~~{Board-of-Regents,}~~ **relevant higher education governing body**.

2. Such a student government to the extent of its authority set forth in the bylaws is self-governing and independent of the



administration of the *University or* System, financially and otherwise.

3. ~~{The Board of Regents}~~ *Each higher education governing body* shall collect a fee from each undergraduate student at ~~{a branch of}~~ *an institution within the University or* System for the support of the student government of that ~~{branch}~~ *institution* upon:

(a) Receipt of a request by the student government for the imposition of such a fee; and

(b) Approval by the ~~{Board of Regents}~~ *relevant higher education governing body* of the amount of the fee so requested.

Sec. 166. NRS 396.5475 is hereby amended to read as follows:

396.5475 ~~{The Board of Regents}~~ *A higher education governing body* shall adopt a written policy for the ~~{Universities, state colleges and community colleges within the System,}~~ *institution it governs* for student publications which:

1. Establishes reasonable provisions governing the time, place and manner for the distribution of student publications;

2. Protects the right of expression in a manner consistent with the rights guaranteed by the First and Fourteenth Amendments to the United States Constitution for students working on student publications as journalists in their determination of the news, opinions, feature content, advertising content and other content of the student publications;

3. Prohibits, without limitation, the following:

(a) Restricting the publication of any content in student publications unless the content would substantially disrupt the ability of the institution to perform its educational mission;

(b) Dismissing, suspending, disciplining or retaliating against a faculty member, employee or other person acting as an adviser for a student publication or as an adviser to students working as journalists on a student publication for acting within the scope of that position, including, without limitation, taking responsible and appropriate action to protect a student engaged in conduct protected pursuant to the written policy or refusing to perform an action which violates the written policy; and

(c) Expelling, suspending or otherwise disciplining a student for engaging in conduct in accordance with the policy, unless such conduct substantially disrupts the ability of the institution to perform its educational mission and the disruption was intentional; and

4. Includes a disclaimer indicating that any content published in a student publication is not endorsed by ~~{the Board of Regents,}~~ *the higher education governing body, the Office, the University,*



1 *the* System or a university, state college or community college
2 within the *University or System* ~~{,}~~, *as applicable*.

3 **Sec. 167.** NRS 396.548 is hereby amended to read as follows:

4 396.548 ~~{The Board of Regents}~~ *A higher education*
5 *governing body or the Office* shall require employees of the
6 *University or System* to provide to the board of trustees of each
7 school district of this State, as appropriate, information regarding
8 the:

9 1. Number of pupils who graduated from a high school in the
10 district in the immediately preceding year and enrolled in remedial
11 courses in reading, writing or mathematics at a university, state
12 college or community college within the *University or System*.

13 2. Costs incurred by the *University or System* in providing
14 remedial instruction pursuant to subsection 1.

15 **Sec. 168.** NRS 396.550 is hereby amended to read as follows:

16 396.550 ~~{The Board of Regents shall have the power to}~~ *A*
17 *higher education governing body may* prescribe the time and
18 standards of graduation.

19 **Sec. 169.** NRS 396.560 is hereby amended to read as follows:

20 396.560 1. Upon the recommendation of a president of ~~fa~~
21 ~~branch}~~ *an institution* within the *University or System*, the ~~{Board~~
22 ~~of Regents}~~ *higher education governing body* shall issue to those
23 who worthily complete the full course of study in the school of
24 mines or in the school of agriculture, or in the school of liberal arts,
25 or in any equivalent course that may hereafter be prescribed, a
26 diploma of graduation, conferring the proper academic degree, from
27 the ~~{System.}~~ *institution*.

28 2. ~~{The Board of Regents}~~ *A higher education governing body*
29 shall not issue such a diploma to a student who has not completed
30 the full course of study as set forth in this section.

31 3. For the purposes of this section, a student at a university or
32 state college within the *University or System* completes the full
33 course of study for a diploma of graduation if, in accordance with
34 the policy of the ~~{Board of Regents,}~~ *relevant higher education*
35 *governing body* the student satisfies the requirements for graduation
36 and a degree as set forth in the catalog of the university or state
37 college that is in effect at the time the student:

38 (a) First enrolls in the university or state college or is admitted
39 to the academic program or department of the student's major if the
40 program or department has a formal process for admitting students
41 to the program or department; or

42 (b) Graduates,

43 ➤ whichever the student elects. A student who changes his or her
44 major must elect the catalog of the year of the latest change of the



major or the year of graduation. A student may not elect a catalog that is more than 10 years old at the time of his or her graduation.

Sec. 170. NRS 396.568 is hereby amended to read as follows:

396.568 1. All credits earned by a student in a course at a community college within the System, including, without limitation, all credits earned in a course toward the award of an associate's degree must automatically transfer toward the course work required of the student in his or her major or minor, or other course work required of the student, for the award of a baccalaureate degree upon graduation of the student from any university or state college within the **University or System**.

2. Pursuant to the policy of the ~~{Board of Regents,}~~ **relevant higher education governing body**, a student who is awarded an associate's degree:

(a) Shall be deemed to have completed the course of study required of a sophomore.

(b) If the student enrolls in another institution within the **University or System**, must be enrolled as a junior.

3. All credits earned toward the completion of a degree of associate of arts, associate of science or associate of business must automatically transfer toward the course work required for the award of a baccalaureate degree upon the graduation of the student from any university or college within the **University or System**.

➤ If the transfer of credit pursuant to this section is denied and the student believes that the credit should be applied to his or her degree, the student may appeal the decision. The appeal process must be made available to all students and may be posted on the website of the **Office or an institution within the University or System**.

Sec. 171. NRS 396.580 is hereby amended to read as follows:

396.580 Upon the recommendation of a president of ~~{a branch}~~ **an institution** within the **University or System**, the ~~{Board of Regents}~~ **higher education governing body** shall issue to those who worthily complete the full course of study in any other department of the **University or System**, not equivalent to a regular course, a diploma of graduation, but the diploma must bear the name of the department from which it is issued, and in no case may it bear the heading of the regular diploma issued by the ~~{Board of Regents,}~~ **relevant higher education governing body**.

Sec. 172. NRS 396.585 is hereby amended to read as follows:

396.585 1. ~~{The Board of Regents}~~ **A higher education governing body** shall require each student who participates as a member of a varsity athletic team which represents an institution within the **University or System** to make satisfactory progress



1 toward obtaining a degree as a condition of participation as a
2 member of the team.

3 2. ~~[The Board of Regents]~~ *A higher education governing body*
4 shall establish standards for determining whether a student is
5 making satisfactory progress toward obtaining his or her degree as
6 required by this section. Except as otherwise provided in NRS
7 396.158, the standards must:

8 (a) Include a requirement that a student enroll in a sufficient
9 number of courses in each semester that are required to obtain the
10 academic degree the student is seeking to allow the student to
11 complete the requirements for obtaining the degree within a
12 reasonable period after the student's admission.

13 (b) Include a requirement that a student maintain a
14 minimum grade point average in the courses required pursuant to
15 paragraph (a).

16 **Sec. 173.** NRS 396.5926 is hereby amended to read as
17 follows:

18 396.5926 1. There is hereby created the Liaison for Post-
19 Secondary Education for Homeless Pupils within the ~~[System-]~~
20 *Office*.

21 2. The Governor shall, to the extent that money is available for
22 that purpose, appoint the Liaison for Post-Secondary Education for
23 Homeless Pupils for a term of 4 years. The Liaison is in the
24 unclassified service of the State. The person appointed:

25 (a) Must be knowledgeable in the various issues relating to
26 homeless and unaccompanied pupils, including, without limitation,
27 the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C.
28 §§ 11301 et seq.;

29 (b) Must be independent of and have no pecuniary interest in
30 any organization or entity that provides services to homeless and
31 unaccompanied pupils;

32 (c) Except as otherwise provided in NRS 284.143, shall devote
33 all of his or her time to the business of his or her office and shall not
34 pursue any other business or vocation or hold any other office of
35 profit; and

36 (d) Must not be a member of any political convention or a
37 member of any committee of any political party.

38 3. The Governor may remove the Liaison from office for
39 inefficiency, neglect of duty or malfeasance in office.

40 **Sec. 174.** NRS 396.593 is hereby amended to read as follows:

41 396.593 To the extent that money is available, the Liaison
42 may:

43 1. Employ such staff as is necessary to carry out his or her
44 duties and the functions of his or her office, in accordance with the
45 personnel practices and procedures established within the ~~[System-]~~



Office. The Liaison has sole discretion to employ and remove any member of his or her staff.

2. Purchase necessary equipment.

3. Lease or make other suitable arrangements for office space, but any lease which extends beyond the term of 1 year must be reviewed and approved by a majority of the members of the State Board of Examiners.

4. Perform such other functions and make such other arrangements as may be necessary to carry out his or her duties and the functions of his or her office.

Sec. 175. NRS 396.5935 is hereby amended to read as follows:

396.5935 1. The ~~{Board of Regents}~~ **Office** may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of NRS 396.5913 to 396.594, inclusive.

2. All gifts, grants and donations from any source which the ~~{Board of Regents}~~ **Office** is authorized to accept must be deposited with the State Treasurer for credit to the Account for the Liaison for Post-Secondary Education for Homeless Pupils, which is hereby created in the State General Fund. The ~~{Board of Regents}~~ **Office** shall administer the Account. The money in the Account must be expended only to pay the costs of administering NRS 396.5913 to 396.594, inclusive.

3. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. Money that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 176. NRS 396.595 is hereby amended to read as follows:

396.595 1. The Office of State Climatologist is hereby created.

2. The Director of the State Department of Conservation and Natural Resources shall employ as the State Climatologist a person who has received the approval of:

(a) The National Climatic Data Center of the National Oceanic and Atmospheric Administration;

(b) The Western Regional Director of the National Weather Service; and

(c) An officer of the ~~{System-}~~ **University.**

3. The State Climatologist shall:

(a) Maintain descriptions of and information on the climate in this state, including the atmospheric conditions and levels of precipitation; and

(b) Publish his or her findings concerning the climate in this state at least quarterly.



Sec. 177. NRS 396.597 is hereby amended to read as follows:

396.597 1. The ~~{System}~~ **University** may provide the State Climatologist with adequate space for an office and necessary supplies.

2. The State Climatologist may, in addition to his or her employment as State Climatologist:

(a) Be employed by the Board of Regents as a member of the teaching staff of one of the branches or facilities within the ~~{System;}~~ **University**; and

(b) Accept employment as a consultant.

Sec. 178. NRS 396.600 is hereby amended to read as follows:

396.600 The Public Service Division of the ~~{System}~~ **University** consists of the following public service departments:

1. Agricultural Extension.

2. Agricultural Experiment Station.

3. Bureau of Mines and Geology.

4. Such other departments as the Board of Regents may designate.

Sec. 179. NRS 396.610 is hereby amended to read as follows:

396.610 All rules and regulations necessary for the proper administration and enforcement of the Public Service Division of the ~~{System}~~ **University** must be made by the presidents, the Chancellor and the Board of Regents.

Sec. 180. NRS 396.620 is hereby amended to read as follows:

396.620 1. Subject to the limitations specified in NRS 396.620 to 396.660, inclusive, the Chancellor shall cause to be analyzed by an appropriate employee of the ~~{System}~~ **University** any ores, minerals, soil or water taken from within the boundaries of the State of Nevada and sent by any resident of the State for that purpose. Persons sending samples from post offices in states bordering Nevada may be required to furnish evidence that their samples are taken in Nevada and that they are Nevada residents. Any resident of the State may send any such substance for analysis. The report of the results of the analysis must be mailed to him or her within 10 working days after it has been received if he or she has supplied the information for the maintenance of records as provided in this section. The report sent to him or her must also contain as nearly as possible an explanation of the uses and market value of the substance.

2. For each sample sent for analysis, the ~~{System}~~ **University** shall charge a fee of \$5 which must be used to defray the expense of conducting the analysis and storing the sample.

3. The ~~{System}~~ **University** shall keep a record, open for inspection, under such rules as may be made by the Board of Regents, of all minerals, ores or other matters so sent, with a history



1 of the minerals or other matters, stating the name and residence of
2 the person from whom received, as nearly as possible the location
3 from which the material was taken, including the district and
4 county, and any other relevant information. This information for the
5 records may be required to be filed with the ~~{System,}~~ **University**
6 before any work is done on the material sent, and the 10-day limit
7 for reports will count from the time the information is received by
8 the ~~{System,}~~ **University**. The ~~{System,}~~ **University** shall cause the
9 preparation and printing of forms for providing the information and
10 shall distribute the forms at no charge.

11 4. A portion of the sample analyzed must be kept by the
12 ~~{System,}~~ **University** for 3 months after the report is sent out, in case
13 any question should arise in relation to the report or additional
14 information be desired. After that time expires, samples may be
15 destroyed or used for any desirable purpose.

16 **Sec. 181.** NRS 396.690 is hereby amended to read as follows:

17 396.690 1. The assent of the State of Nevada by its
18 Legislature is hereby given to the provisions and requirements of an
19 Act of Congress entitled "An Act to provide for cooperative
20 extension work between the agricultural colleges in the several
21 States receiving the benefits of an Act of Congress approved
22 July second, eighteen hundred and sixty-two, and of Acts
23 supplementary thereto, and the United States Department of
24 Agriculture," approved May 8, 1914 (c. 79, 38 Stat. 372), and any
25 acts amendatory thereof and supplemental thereto. The Board of
26 Regents is hereby authorized and empowered to receive the grants
27 of money appropriated under such federal acts, and to organize and
28 conduct agricultural extension work which must be carried on in
29 connection with the College of Agriculture of the ~~{System,}~~
30 **University**, in accordance with the terms and conditions expressed
31 in such Acts of Congress.

32 2. The Director of the Agricultural Extension Department of
33 the Public Service Division of the ~~{System,}~~ **University** shall conduct
34 all business of the Agricultural Extension Department and
35 administer all funds of the Agricultural Extension Department,
36 including, without limitation, in each county that has entered into an
37 agreement with or participates in a program of the Agricultural
38 Extension Department.

39 **Sec. 182.** NRS 396.740 is hereby amended to read as follows:

40 396.740 The Agricultural Experiment Station, organized and
41 established by the Board of Regents in connection with the
42 ~~{System,}~~ **University**, is hereby recognized and continues as a part
43 of the ~~{System,}~~ **University**. The Agricultural Experiment Station
44 must be conducted for the purposes of acquiring and diffusing
45 among the people useful and practical information on subjects



connected with agriculture and to promote scientific investigation and experiment respecting the principles and applications of agricultural science.

Sec. 183. NRS 396.750 is hereby amended to read as follows:

396.750 The Board of Regents, upon recommendation of the appropriate officer of the ~~{System,}~~ **University**, shall appoint a qualified person to serve as Director of the Agricultural Experiment Station of the Public Service Division of the ~~{System,}~~ **University** and grant him or her such assistants as it deems necessary. The Director shall conduct all business of the Agricultural Experiment Station and administer all funds of the Agricultural Experiment Station.

Sec. 184. NRS 396.790 is hereby amended to read as follows:

396.790 1. The Director of the Nevada Agricultural Experiment Station of the ~~{System,}~~ **University**, with the approval of the Board of Regents, is hereby authorized and directed to enter into cooperative agreements with the United States Department of Agriculture under the provisions of an Act of Congress entitled "An Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products," approved August 14, 1946 (c. 966, 60 Stat. 1082; 7 U.S.C. § 427).

2. The Nevada Agricultural Experiment Station Fund is hereby created and must be administered by the Director of the Agricultural Experiment Station. Support for the Fund must be provided by legislative appropriation from the State General Fund.

3. All claims against the Nevada Agricultural Experiment Station Fund must be certified by the Director of the Nevada Agricultural Experiment Station, approved by the Board of Regents and the State Board of Examiners and when so certified and approved, the State Controller is authorized to draw his or her warrants in payment of the claim, and the State Treasurer is authorized to pay the claim.

Sec. 185. NRS 396.795 is hereby amended to read as follows:

396.795 To contribute more effectively to the security of the nation and to promote the general welfare of the State of Nevada and its citizens through the development of educational and scientific research, the Board of Regents may establish for educational and scientific research a facility within the ~~{System,}~~ **University** to be known as the Desert Research Institute.

Sec. 186. NRS 396.7951 is hereby amended to read as follows:

396.7951 The primary purposes of the Institute are to:



1 1. Foster and conduct fundamental scientific, economic, social
2 or educational investigations and applied research for industry,
3 governmental or private agencies or individuals;

4 2. Encourage and foster a desire in students and faculty to
5 conduct research;

6 3. Discover and develop talent for conducting research;

7 4. Acquire and disseminate knowledge related to the projects
8 undertaken; and

9 5. Promote all research within the ~~{System}~~ **University**
10 generally.

11 **Sec. 187.** NRS 396.7952 is hereby amended to read as
12 follows:

13 396.7952 To further the development of the research activities
14 of the ~~{System}~~ **University**, the Board of Regents, on behalf of the
15 Desert Research Institute, may:

16 1. Enter into contracts with governmental or private agencies
17 or natural persons who wish to use the services or facilities of the
18 Desert Research Institute.

19 2. Receive and hold, by gift, bequest, devise, grant, purchase or
20 otherwise, any real or personal property, including patents,
21 copyrights, royalties and contracts from natural persons or
22 corporations.

23 3. Manage, invest, use and dispose of any property so received,
24 either as specified by the donor or for the furtherance of the
25 objectives of the Desert Research Institute.

26 4. Receive, invest, disburse and account for all money acquired
27 pursuant to subsection 2 or through contractual or sponsored
28 arrangements with governmental or private agencies or natural
29 persons.

30 **Sec. 188.** NRS 396.7953 is hereby amended to read as
31 follows:

32 396.7953 1. The Board of Regents may devise and establish
33 personnel policies and procedures in connection with the operation
34 of contractual or sponsored research activities of the Institute, apart
35 from those personnel policies and procedures which are established
36 for the professional personnel of other branches or facilities of the
37 ~~{System}~~ **University**.

38 2. In devising and establishing such personnel policies and
39 procedures, the Board of Regents is not bound by any of the other
40 provisions of this chapter or the provisions of title 23 of NRS and
41 none of those provisions are applicable to any person employed in
42 connection with the operation of contractual or sponsored research
43 activities of the Institute except as may be prescribed by the Board
44 of Regents.



Sec. 189. NRS 396.7955 is hereby amended to read as follows:

396.7955 1. The Board of Regents shall devise and establish fiscal policies and procedures in connection with the operation of contractual or sponsored research activities of the institute, apart from those fiscal policies and procedures which are applicable to other branches or facilities of the ~~{System.}~~ **University.**

2. None of the other provisions of this chapter or the provisions of titles 23 or 31 of NRS or any other statute relating to public officers and employees or public financial administration applies to the receipt, investment, management, disbursement, use, expenditure or accounting for any money or property received by the Board of Regents pursuant to NRS 396.7952, except as otherwise provided in subsection 4 of NRS 396.7952.

3. Any funds received by or made available to the Board of Regents for the Desert Research Institute by the State of Nevada, whether pursuant to direct legislative appropriation or otherwise, are subject to all laws relating to public funds and expenditures.

Sec. 190. NRS 396.797 is hereby amended to read as follows:

396.797 The Board of Regents shall establish for educational research an Ethics Institute as a facility within the ~~{System}~~ **University** to study questions and define standards regarding medical ethics.

Sec. 191. NRS 396.7973 is hereby amended to read as follows:

396.7973 1. The Board of Regents may establish policies and procedures for personnel in connection with the operation of contractual or sponsored activities of the Ethics Institute, apart from those policies and procedures which are established for the professional personnel of other branches or facilities of the ~~{System.}~~ **University.**

2. In establishing the policies and procedures, the Board of Regents is not bound by any of the other provisions of this chapter or the provisions of title 23 of NRS and none of those provisions are applicable to any person employed in connection with the operation of contractual or sponsored activities of the Institute except as may be prescribed by the Board of Regents.

Sec. 192. NRS 396.7975 is hereby amended to read as follows:

396.7975 1. The Board of Regents shall establish fiscal policies and procedures in connection with the operation of contractual or sponsored activities of the Ethics Institute, apart from those fiscal policies and procedures which are applicable to other branches or facilities of the ~~{System.}~~ **University.**



2. None of the other provisions of this chapter or the provisions of title 23 or 31 of NRS or any other statute relating to public officers and employees or public financial administration applies to the receipt, investment, management, disbursement, use, expenditure or accounting for any money or property received by the Board of Regents pursuant to NRS 396.7972.

3. Any money received by or made available to the Board of Regents for the Ethics Institute is subject to all laws relating to public money and expenditures.

Sec. 193. NRS 396.7992 is hereby amended to read as follows:

396.7992 The Board of Regents, in the name and on behalf of the ~~{System,}~~ **University**, may:

1. Cause to be formed a nonprofit corporation pursuant to chapter 82 of NRS for the acquisition of real property for the future development and expansion of the University of Nevada, Reno, in Washoe County.

2. Provide the name of the corporation.

3. Specify that it is formed for charitable and educational purposes, subject to the basic object provided therefor in subsection 1.

4. Specify incidental powers which the corporation may exercise, including without limitation:

(a) The power to solicit and receive contributions, gifts, grants, devises and bequests of real and personal property, or any combination thereof;

(b) The powers enumerated in NRS 82.121; and

(c) The power to do all acts and things as may be necessary or convenient or desirable to carry out the objects and purposes for which the corporation is formed.

5. Provide for:

(a) The location and relocation of the principal office of the corporation;

(b) The distribution of its assets, after the liquidation of its obligations, if any, to the ~~{System,}~~ **University** or its Board of Regents, as it may determine, for the benefit of the ~~{System,}~~ **University** upon any dissolution and liquidation of the corporation;

(c) Its perpetual existence;

(d) Its governing body and appointments and reappointments of members thereto; and

(e) The adoption and alteration from time to time of bylaws by the corporation.



Sec. 194. NRS 396.7993 is hereby amended to read as follows:

396.7993 Neither the ~~{System,}~~ **University** nor the Board of Regents is obligated to acquire from such a nonprofit corporation any property acquired by it, except as is otherwise provided in NRS 396.7998.

Sec. 195. NRS 396.7994 is hereby amended to read as follows:

396.7994 Such a nonprofit corporation, upon its formation, is:

1. A corporate agency of the ~~{System,}~~ **University** and the Board of Regents;

2. A body corporate and politic; and

3. A political subdivision of this state.

Sec. 196. NRS 396.7998 is hereby amended to read as follows:

396.7998 The ~~{System,}~~ **University**, or the Board of Regents, as it may determine, has the beneficial interest in the corporation while any obligations evidenced by its bonds or other securities remain outstanding. The ~~{System,}~~ **University** or the Board of Regents, as it may determine, may obligate itself to take full legal title to the property of the corporation upon the retirement of its securities.

Sec. 197. NRS 396.7999 is hereby amended to read as follows:

396.7999 The ~~{System,}~~ **University**, acting by and through the Board of Regents may:

1. Approve the corporation and any securities issued thereby.

2. Do all acts necessary, convenient or desirable, as the Board may determine, to carry out the provisions of this section.

Sec. 198. NRS 396.801 is hereby amended to read as follows:

396.801 The Board of Regents, in the name and on the behalf of the ~~{System,}~~ **University**, may:

1. Cause to be formed a nonprofit corporation pursuant to chapter 82 of NRS for the acquisition of real property for the future development and expansion of the University of Nevada, Las Vegas, in Clark County.

2. Provide the name of the corporation.

3. Specify that it is formed for charitable and educational purposes, subject to the basic object provided therefor in subsection 1.

4. Specify incidental powers which the corporation may exercise, including without limitation:

(a) The power to solicit and receive contributions, gifts, grants, devises and bequests of real and personal property, or any combination thereof;



1 (b) The powers enumerated in NRS 82.121; and
2 (c) The power to do all acts and things as may be necessary or
3 convenient or desirable to carry out the objects and purposes for
4 which the corporation is formed.

5 5. Provide for:

6 (a) The location and relocation of the principal office of the
7 corporation;

8 (b) The distribution of its assets, after the liquidation of its
9 obligations, if any, to the ~~{System}~~ **University** or the Board of
10 Regents, as it may determine, for the benefit of the University of
11 Nevada, Las Vegas, upon any dissolution and liquidation of the
12 corporation;

13 (c) Its perpetual existence;

14 (d) Its governing body and appointments and reappointments of
15 members thereto; and

16 (e) The adoption and alteration from time to time of bylaws by
17 the corporation.

18 **Sec. 199.** NRS 396.802 is hereby amended to read as follows:

19 396.802 Neither the ~~{System}~~ **University** nor the Board of
20 Regents is obligated to acquire from such a nonprofit corporation
21 any property acquired by it, except as is otherwise provided in
22 NRS 396.807.

23 **Sec. 200.** NRS 396.803 is hereby amended to read as follows:

24 396.803 Such a nonprofit corporation, upon its formation, is:

25 1. A corporate agency of the ~~{System}~~ **University** and the
26 Board of Regents;

27 2. A body corporate and politic; and

28 3. A political subdivision of this state.

29 **Sec. 201.** NRS 396.807 is hereby amended to read as follows:

30 396.807 The ~~{System,}~~ **University**, or the Board of Regents, as
31 it may determine, has the beneficial interest in the corporation while
32 any obligations evidenced by its bonds or other securities remain
33 outstanding and the ~~{System}~~ **University** or the Board of Regents, as
34 it may determine, may obligate itself to take full legal title to the
35 property of the corporation upon the retirement of its securities.

36 **Sec. 202.** NRS 396.890 is hereby amended to read as follows:

37 396.890 1. ~~{The Board of Regents}~~ **A higher education**
38 **governing body** may administer, directly or through a designated
39 officer or employee of the **University or** System, a program to
40 provide loans for fees, books and living expenses to students in the
41 nursing programs of the **University or** System.

42 2. Each student to whom a loan is made must:

43 (a) Have been a "bona fide resident" of Nevada, as that term is
44 defined in NRS 396.540, for at least 6 months prior to the



1 “matriculation” of the student in the **University or** System, as that
2 term is defined pursuant to NRS 396.540;

3 (b) Be enrolled at the time the loan is made in a nursing program
4 of the **University or** System for the purpose of becoming a licensed
5 practical nurse or registered nurse;

6 (c) Except as otherwise provided in NRS 396.158, fulfill all
7 requirements for classification as a full-time student showing
8 progression towards completion of the program; and

9 (d) Except as otherwise provided in NRS 396.158, maintain at
10 least a 2.00 grade point average in each class and at least a 2.75
11 overall grade point average, on a 4.0 grading scale.

12 3. Each loan must be made upon the following terms:

13 (a) All loans must bear interest at 8 percent per annum from the
14 date when the student receives the loan.

15 (b) Each student receiving a loan must repay the loan with
16 interest following the termination of the student’s education for
17 which the loan is made. The loan must be repaid in monthly
18 installments over the period allowed with the first installment due 1
19 year after the date of the termination of the student’s education for
20 which the loan is made. The amounts of the installments must not be
21 less than \$50 and may be calculated to allow a smaller payment at
22 the beginning of the period of repayment, with each succeeding
23 payment gradually increasing so that the total amount due will have
24 been paid within the period for repayment. The period for
25 repayment of the loans must be:

26 (1) Five years for loans which total less than \$10,000.

27 (2) Eight years for loans which total \$10,000 or more, but
28 less than \$20,000.

29 (3) Ten years for loans which total \$20,000 or more.

30 4. A delinquency charge may be assessed on any installment
31 delinquent 10 days or more in the amount of 8 percent of the
32 installment or \$4, whichever is greater, but not more than \$15.

33 5. The reasonable costs of collection and an attorney’s fee may
34 be recovered in the event of delinquency.

35 **Sec. 203.** NRS 396.891 is hereby amended to read as follows:

36 396.891 1. The loans made pursuant to NRS 396.890 to
37 396.898, inclusive, must not exceed the following amounts per
38 student per semester. If the student is enrolled in a program of:

39 (a) A community college, \$1,700.

40 (b) A university, \$2,005.

41 2. Any money distributed pursuant to NRS 396.890 to 396.898,
42 inclusive, must be distributed among the ~~campuses~~ **institutions** of
43 the **University or** System, **as applicable**, in amounts that will allow
44 the same percentage of eligible students enrolled in the licensed



practical nurse and registered practical nurse programs of each ~~campus~~ institution to receive loans.

Sec. 204. NRS 396.892 is hereby amended to read as follows:

396.892 1. Each student who receives a loan made pursuant to NRS 396.890 to 396.898, inclusive, shall repay the loan and accrued interest pursuant to the terms of the loan unless the student:

(a) Practices nursing in a rural area of Nevada or as an employee of the State for 6 months for each academic year for which he or she received a loan; or

(b) Practices nursing in any other area of Nevada for 1 year for each academic year for which he or she received a loan.

2. ~~The Board of Regents~~ A higher education governing body or the Office, in consultation with each higher education governing body, may adopt regulations:

(a) Extending the time for completing the required practice beyond 5 years for persons who are granted extensions because of hardship; and

(b) Granting prorated credit towards repayment of a loan for time a person practices nursing as required, for cases in which the period for required practice is only partially completed,

➤ and such other regulations as are necessary to carry out the provisions of NRS 396.890 to 396.898, inclusive.

3. As used in this section, "practices nursing in a rural area" means that the person practices nursing in an area located in a county whose population is less than 47,500 at least half of the total time the person spends in the practice of nursing, and not less than 20 hours per week.

Sec. 205. NRS 396.893 is hereby amended to read as follows:

396.893 ~~The Board of Regents~~ A higher education governing body or its designee may require:

1. A student to acquire, as security for a student loan, insurance on the student's life and on the student's health or against the student's disability, or both.

2. That a financially responsible person agree to be jointly liable with the recipient for the repayment of the loan.

Sec. 206. NRS 396.894 is hereby amended to read as follows:

396.894 ~~The Board of Regents~~ A higher education governing body or its designee may require, upon notice to a recipient of a loan, that the recipient repay the balance and any unpaid interest on the loan at once if:

1. An installment is not paid within 30 days after it is due;

2. The recipient fails to notify the ~~Board of Regents~~ higher education governing body or its designee, within 30 days, of:

(a) A change of name or of the address of his or her home or place of practice; or



(b) The termination of the education for which he or she received the loan; or

3. The recipient fails to comply with any other requirement or perform any other obligation the recipient is required to perform pursuant to any agreement with the ~~{Board of Regents}~~ *higher education governing body* or its designee.

Sec. 207. NRS 396.895 is hereby amended to read as follows:

396.895 A recipient of a loan made pursuant to NRS 396.890 to 396.898, inclusive, shall comply with the regulations adopted by ~~{the Board of Regents.}~~ *a relevant higher education governing body or the Office, in consultation with each relevant higher education governing body.* If the recipient fails so to comply, the ~~{Board of Regents}~~ *higher education governing body* or its designee may:

1. For each infraction, impose a fine of not more than \$200 against any recipient in any academic year, and may deny additional money to any student who fails to pay the fine when due;

2. Increase the portion of any future loan to be repaid by the recipient; and

3. Extend the time a recipient is required to practice nursing to repay his or her loan.

Sec. 208. NRS 396.896 is hereby amended to read as follows:

396.896 1. ~~{The Board of Regents}~~ *A higher education governing body* or its designee may, after receiving an application stating the reasons therefor, grant an extension of the period for the repayment of a loan in case of hardship arising out of the individual circumstances of a recipient. The extension must be for a period that will reasonably alleviate that hardship.

2. Applications for extensions must be filed within the time prescribed by regulation of the ~~{Board of Regents.}~~ *relevant higher education governing body or the Office, in consultation with the relevant higher education governing body.*

Sec. 209. NRS 396.897 is hereby amended to read as follows:

396.897 A person obligated to repay a student loan may, as determined by ~~{the Board of Regents}~~ *a higher education governing body* or its designee, receive credit towards payment of the loan for professional services provided without compensation to the State or any of its political subdivisions.

Sec. 210. NRS 396.898 is hereby amended to read as follows:

396.898 The ~~{Board of Regents may:}~~ *Office shall:*

1. Receive, invest, disburse and account for all money received for the program.

2. Report to the Governor and the Legislature before September 1 of any year preceding a regular session of the



Legislature, setting forth in detail the transactions conducted by it during the biennium ending June 30 of such year.

3. Make recommendations for any legislative action deemed by it advisable.

Sec. 211. NRS 396.916 is hereby amended to read as follows:

396.916 "Eligible institution" means:

1. A university, state college or community college within the **University or** System; or

2. Any other nonsectarian college or university that:

(a) Was originally established in, and is organized under the laws of, this state;

(b) Is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3); and

(c) Is accredited by a regional accrediting agency recognized by the United States Department of Education.

Sec. 212. NRS 396.930 is hereby amended to read as follows:

396.930 1. Except as otherwise provided in subsections 2 and 4, a student may apply to ~~the Board of Regents~~ **a higher education governing body** for a Millennium Scholarship if the student:

(a) Except as otherwise provided in paragraph (e) of subsection 2, has been a resident of this State for at least 2 years before the student applies for the Millennium Scholarship;

(b) Except as otherwise provided in paragraph (c), graduated from a public or private high school in this State:

(1) After May 1, 2000, but not later than May 1, 2003; or

(2) After May 1, 2003, and, except as otherwise provided in paragraphs (c), (d) and (f) of subsection 2, not more than 6 years before the student applies for the Millennium Scholarship;

(c) Does not satisfy the requirements of paragraph (b) and:

(1) Was enrolled as a pupil in a public or private high school in this State with a class of pupils who were regularly scheduled to graduate after May 1, 2000;

(2) Received his or her high school diploma within 4 years after he or she was regularly scheduled to graduate; and

(3) Applies for the Millennium Scholarship not more than 6 years after he or she was regularly scheduled to graduate from high school;

(d) Except as otherwise provided in paragraph (e), maintained in high school in the courses designated by ~~the Board of Regents~~ **a higher education governing body** pursuant to paragraph (b) of subsection 2, at least:

(1) A 3.00 grade point average on a 4.0 grading scale, if the student was a member of the graduating class of 2003 or 2004;

(2) A 3.10 grade point average on a 4.0 grading scale, if the student was a member of the graduating class of 2005 or 2006; or



(3) A 3.25 grade point average on a 4.0 grading scale, if the student was a member of the graduating class of 2007 or a later graduating class;

(e) Does not satisfy the requirements of paragraph (d) and received at least the minimum score established by ~~{the Board of Regents}~~ **a higher education governing body** on a college entrance examination approved by ~~{the Board of Regents}~~ **a higher education governing body** that was administered to the student while the student was enrolled as a pupil in a public or private high school in this State; and

(f) Except as otherwise provided in NRS 396.158, is enrolled in at least:

(1) Nine semester credit hours in a community college within the System;

(2) Twelve semester credit hours in another eligible institution; or

(3) A total of 12 or more semester credit hours in eligible institutions if the student is enrolled in more than one eligible institution.

2. ~~{The Board of Regents:}~~ **Each higher education governing body:**

(a) Shall define the core curriculum that a student must complete in high school to be eligible for a Millennium Scholarship.

(b) Shall designate the courses in which a student must earn the minimum grade point averages set forth in paragraph (d) of subsection 1.

(c) May establish criteria with respect to students who have been on active duty serving in the Armed Forces of the United States to exempt such students from the 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1.

(d) Shall establish criteria with respect to students who have a documented physical or mental disability or who were previously subject to an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an exemption for those students from:

(1) The 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1 and subparagraph (3) of paragraph (c) of subsection 1 and any limitation applicable to students who are eligible pursuant to subparagraph (1) of paragraph (b) of subsection 1.

(2) The minimum number of credits prescribed in paragraph (f) of subsection 1.



(e) Shall establish criteria with respect to students who have a parent or legal guardian on active duty in the Armed Forces of the United States to exempt such students from the residency requirement set forth in paragraph (a) of subsection 1 or subsection 4.

(f) Shall establish criteria with respect to students who have been actively serving or participating in a charitable, religious or public service assignment or mission to exempt such students from the 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1. Such criteria must provide for the award of Millennium Scholarships to those students who qualify for the exemption and who otherwise meet the eligibility criteria to the extent that money is available to award Millennium Scholarships to the students after all other obligations for the award of Millennium Scholarships for the current school year have been satisfied.

3. If ~~{the Board of Regents}~~ *a higher education governing body* requires a student to successfully complete courses in mathematics or science to be eligible for a Millennium Scholarship, a student who has successfully completed one or more courses in computer science described in NRS 389.0186 must be allowed to apply not more than one unit of credit received for the completion of such courses toward that requirement.

4. Except as otherwise provided in paragraph (c) of subsection 1, for students who did not graduate from a public or private high school in this State and who, except as otherwise provided in paragraph (e) of subsection 2, have been residents of this State for at least 2 years, ~~{the Board of Regents}~~ *each higher education governing body* shall establish:

(a) The minimum score on a standardized test that such students must receive; or

(b) Other criteria that students must meet,
↳ to be eligible for Millennium Scholarships.

5. In awarding Millennium Scholarships, ~~{the Board of Regents}~~ *each higher education governing body* shall enhance its outreach to students who:

(a) Are pursuing a career in education or health care;

(b) Come from families who lack sufficient financial resources to pay for the costs of sending their children to an eligible institution; or

(c) Substantially participated in an antismoking, antidrug or antialcohol program during high school.

6. ~~{The Board of Regents}~~ *Each higher education governing body* shall establish a procedure by which an applicant for a Millennium Scholarship is required to execute an affidavit declaring



the applicant's eligibility for a Millennium Scholarship pursuant to the requirements of this section.

Sec. 213. NRS 396.934 is hereby amended to read as follows:

396.934 1. Except as otherwise provided in this section, within the limits of money available in the Trust Fund, a student who is eligible for a Millennium Scholarship is entitled to receive:

(a) If he or she is enrolled in a community college within the System, including, without limitation, a summer academic term, \$40 per credit for each lower division course and \$60 per credit for each upper division course in which the student is enrolled, or the amount of money that is necessary for the student to pay the costs of attending the community college that are not otherwise satisfied by other grants or scholarships, whichever is less. ~~{The Board of Regents}~~ *Each relevant higher education governing body* shall provide for the designation of upper and lower division courses for the purposes of this paragraph.

(b) If he or she is enrolled in a state college within the System, including, without limitation, a summer academic term, \$60 per credit for which the student is enrolled, or the amount of money that is necessary for the student to pay the costs of attending the state college that are not otherwise satisfied by other grants or scholarships, whichever is less.

(c) If he or she is enrolled in another eligible institution, including, without limitation, a summer academic term, \$80 per credit for which the student is enrolled, or the amount of money that is necessary for the student to pay the costs of attending the university that are not otherwise satisfied by other grants or scholarships, whichever is less.

(d) If he or she is enrolled in more than one eligible institution, including, without limitation, a summer academic term, the amount authorized pursuant to paragraph (a), (b) or (c), or a combination thereof, in accordance with procedures and guidelines established by ~~{the Board of Regents.}~~ *each relevant higher education governing body.*

➤ In no event may a student who is eligible for a Millennium Scholarship receive more than the cost of 15 semester credits per semester pursuant to this subsection.

2. No student may be awarded a Millennium Scholarship:

(a) To pay for remedial courses.

(b) For a total amount in excess of \$10,000.

3. Except as otherwise provided in NRS 396.158, a student who receives a Millennium Scholarship shall:

(a) Make satisfactory academic progress toward a recognized degree or certificate, as determined by ~~{the Board of Regents}~~ *each higher education governing body* pursuant to subsection 8; and



(b) Maintain at least a 2.75 grade point average on a 4.0 grading scale for each semester of enrollment in the Governor Guinn Millennium Scholarship Program.

4. A student who receives a Millennium Scholarship is encouraged to volunteer at least 20 hours of community service for this State, a political subdivision of this State or a charitable organization that provides service to a community or the residents of a community in this State during each year in which the student receives a Millennium Scholarship.

5. If a student does not satisfy the requirements of subsection 3 during one semester of enrollment, excluding a summer academic term, he or she is not eligible for the Millennium Scholarship for the succeeding semester of enrollment. If such a student:

(a) Subsequently satisfies the requirements of subsection 3 in a semester in which he or she is not eligible for the Millennium Scholarship, the student is eligible for the Millennium Scholarship for the student's next semester of enrollment.

(b) Fails a second time to satisfy the requirements of subsection 3 during any subsequent semester, excluding a summer academic term, the student is no longer eligible for a Millennium Scholarship.

6. A Millennium Scholarship must be used only:

(a) For the payment of registration fees and laboratory fees and expenses;

(b) To purchase required textbooks and course materials; and

(c) For other costs related to the attendance of the student at the eligible institution.

7. ~~The Board of Regents~~ *Each higher education governing body* shall certify a list of eligible students to the State Treasurer. The State Treasurer shall disburse a Millennium Scholarship for each semester on behalf of an eligible student directly to the eligible institution in which the student is enrolled, upon certification from the eligible institution of the number of credits for which the student is enrolled, which must meet or exceed the minimum number of credits required for eligibility and certification that the student is in good standing and making satisfactory academic progress toward a recognized degree or certificate, as determined by the ~~Board of Regents~~ *higher education governing body* pursuant to subsection

8. The Millennium Scholarship must be administered by the eligible institution as other similar scholarships are administered and may be used only for the expenditures authorized pursuant to subsection 6. If a student is enrolled in more than one eligible institution, the Millennium Scholarship must be administered by the eligible institution at which the student is enrolled in a program of study leading to a recognized degree or certificate.



8. ~~{The Board of Regents}~~ *Each higher education governing body* shall establish:

(a) Criteria for determining whether a student is making satisfactory academic progress toward a recognized degree or certificate for purposes of subsection 7.

(b) Procedures to ensure that all money from a Millennium Scholarship awarded to a student that is refunded in whole or in part for any reason is refunded to the Trust Fund and not the student.

(c) Procedures and guidelines for the administration of a Millennium Scholarship for students who are enrolled in more than one eligible institution.

Sec. 214. NRS 396.938 is hereby amended to read as follows:

396.938 ~~{The Board of Regents}~~ *Each higher education governing body* shall develop a plan to direct a significant portion of other available financial aid to culturally disadvantaged or at-risk students, and students who graduated from high school before May 1, 2000, who wish to attend college and have the potential to be successful, but who do not otherwise meet the eligibility requirements for Millennium Scholarships.

Sec. 215. NRS 396.952 is hereby amended to read as follows:

396.952 1. The Silver State Opportunity Grant Program is hereby created for the purpose of awarding grants to eligible students to pay for a portion of the cost of education at a community college or state college within the System.

2. The ~~{Board of Regents}~~ *Office* shall administer the Program.

3. In administering the Program, the ~~{Board of Regents}~~ *Office* shall for each semester, subject to the limits of money available for this purpose, award a grant to each eligible student to pay for a portion of the cost of education at a community college or state college within the System.

4. To be eligible for a grant awarded under the Program, a student must:

(a) Except as otherwise provided in this section, be enrolled, or accepted to be enrolled, during a semester in at least 12 credit hours at a community college or state college within the System;

(b) Be enrolled in a program of study leading to a recognized degree or certificate;

(c) Demonstrate proficiency in English and mathematics sufficient for placement into college-level English and mathematics courses pursuant to regulations adopted by the ~~{Board of Regents}~~ *Office* for such placement;

(d) Be a bona fide resident of the State of Nevada for the purposes of determining pursuant to NRS 396.540 whether the student is assessed a tuition charge or have graduated from a high school located in this State; and



(e) Except as otherwise provided in subsection 6, complete the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090.

5. A student who is enrolled, or accepted to be enrolled, in the final semester of his or her program of study in less than 12 credit hours at a community college or state college within the System is eligible for a grant awarded under the Program.

6. To the extent money is available, the ~~{Board of Regents}~~ **Office** may prescribe an alternative determination for financial aid for a student who is prohibited by law from completing the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 pursuant to paragraph (e) of subsection 4. If the ~~{Board of Regents}~~ **Office** prescribes an alternative determination for financial aid, a student who is prohibited by law from completing the Free Application for Federal Student Aid shall complete the alternative determination for each semester of participation in the Program on or before the deadline prescribed by the ~~{Board of Regents}~~ **Office**.

Sec. 216. NRS 396.954 is hereby amended to read as follows:

396.954 1. For each eligible student, the ~~{Board of Regents}~~ **Office** or a designee thereof shall:

(a) Calculate the maximum amount of the grant which the student is eligible to receive. The maximum amount of such a grant must not exceed the amount equal to the cost of education of the student minus the amounts determined for the student contribution, family contribution and federal contribution to the cost of education of the student.

(b) Determine the actual amount of the grant which will be awarded to each student, which amount must not exceed the maximum amount calculated pursuant to paragraph (a), but which may be in a lesser amount if the ~~{Board of Regents}~~ **Office** or a designee thereof, as applicable, determines that the amount of money available for all grants for any semester is insufficient to award to all eligible students in a category prescribed in subsection 2 the maximum amount of the grant which each student is eligible to receive.

2. The ~~{Board of Regents}~~ **Office** or a designee thereof shall award to eligible students a grant in the amount determined pursuant to paragraph (b) of subsection 1 in the following order of priority:

(a) First, to eligible students who are enrolled in at least 15 credit hours at a community college or state college within the System;

(b) If money is available after awarding grants to all eligible students described in paragraph (a), to remaining eligible students who are enrolled, or accepted to be enrolled, in the final semester of



a program of study at a community college or state college within the System; and

(c) If money is available after awarding grants to all eligible students described in paragraphs (a) and (b), to remaining eligible students.

3. Money received from a grant awarded under the Program must be used by a student only to pay for the cost of education of the student at a community college or state college within the System and not for any other purpose.

Sec. 217. NRS 396.956 is hereby amended to read as follows:

396.956 1. The ~~{Board of Regents}~~ Office:

(a) Shall adopt regulations prescribing the procedures and standards for determining the eligibility of a student for a grant from the Program.

(b) Shall adopt regulations prescribing the methodology by which the ~~{Board of Regents}~~ Office or a designee thereof will calculate:

(1) The cost of education of a student at each community college and state college within the System, which must be consistent with the provisions of 20 U.S.C. § 10871l.

(2) For each student, the amounts of the student contribution, family contribution and federal contribution to the cost of education of the student.

(3) The maximum amount of the grant for which a student is eligible.

(c) Shall adopt regulations prescribing the process by which each student may meet the credit-hour requirement described in NRS 396.952 for eligibility for a grant awarded under the Program.

(d) May adopt any other regulations necessary to carry out the Program.

2. The regulations prescribed pursuant to this section must provide that:

(a) In determining the student contribution to the cost of education, the student contribution must not exceed the amount that the ~~{Board of Regents}~~ Office determines the student reasonably could be expected to earn from employment during the time the student is enrolled at a community college or state college within the System, including, without limitation, during breaks between semesters. This paragraph and any regulations adopted pursuant to this section must not be construed to require a student to seek or obtain employment as a condition of eligibility for a grant under the Program.

(b) Determination of the family contribution to the cost of education must be based on the family resources reported in the Free Application for Federal Student Aid or, if the student is prohibited



1 by law from completing the Free Application for Federal Student
2 Aid and the ~~{Board of Regents}~~ *Office* prescribes an alternative
3 determination for financial aid pursuant to subsection 6 of NRS
4 396.952, the alternative determination for financial aid submitted by
5 the student.

6 (c) Determination of the federal contribution to the cost of
7 education must be equal to the total amount that the student and his
8 or her family are expected to receive from the Federal Government
9 as grants.

10 **Sec. 218.** NRS 396.958 is hereby amended to read as follows:

11 396.958 In addition to any direct legislative appropriation from
12 the State General Fund, the ~~{Board of Regents}~~ *Office* may accept
13 gifts, grants, bequests and donations to fund grants awarded under
14 the Program.

15 **Sec. 219.** NRS 396.960 is hereby amended to read as follows:

16 396.960 On or before February 1 of each odd-numbered year,
17 the ~~{Board of Regents}~~ *Office* shall submit to the Director of the
18 Legislative Counsel Bureau for transmittal to the next regular
19 session of the Legislature a written report on the Program which
20 must include, without limitation, information regarding:

21 1. The number of students during the immediately preceding
22 school year who were awarded grants under the Program.

23 2. The average amount of each grant awarded under the
24 Program for the immediately preceding school year.

25 3. The success of the Program, including, without limitation,
26 information regarding the percentage of students awarded grants
27 since the creation of the Program who have remained enrolled at a
28 community college or state college within the System and the
29 percentage of students awarded grants since the creation of the
30 Program who have been awarded a degree or certificate.

31 **Sec. 220.** NRS 396.9625 is hereby amended to read as
32 follows:

33 396.9625 “Nevada Promise Scholarship” means a scholarship
34 awarded by the ~~{Board of Regents}~~ *Office* pursuant to NRS 396.968.

35 **Sec. 221.** NRS 396.9634 is hereby amended to read as
36 follows:

37 396.9634 “Registration fee and other mandatory fees” means a
38 registration fee assessed per credit and mandatory fees assessed per
39 credit that are approved by ~~{the Board of Regents}~~ *a higher*
40 *education governing body* and charged to all students by a
41 community college. The term does not include special course fees or
42 fees charged for specific programs of study, books or supplies even
43 if such fees are considered necessary for enrollment.



Sec. 222. NRS 396.9645 is hereby amended to read as follows:

396.9645 1. The Nevada Promise Scholarship Account is hereby created in the State General Fund. The Account must be administered by the State Treasurer.

2. The interest and income earned on:

(a) The money in the Account, after deducting any applicable charges; and

(b) Unexpended appropriations made to the Account from the State General Fund,

↪ must be credited to the Account.

3. Any money remaining in the Account at the end of a fiscal year, including, without limitation, any unexpended appropriations made to the Account from the State General Fund, does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

4. The State Treasurer may accept gifts and grants of money from any source for deposit in the Account.

5. The money in the Account may only be used to distribute money to the ~~{Board of Regents}~~ Office for the purpose of awarding Nevada Promise Scholarships to students who are eligible to receive such scholarships under the provisions of NRS 396.9665 or for any other purpose authorized by the Legislature.

Sec. 223. NRS 396.965 is hereby amended to read as follows:

396.965 1. The Nevada Promise Scholarship Program is hereby created for the purpose of awarding Nevada Promise Scholarships to eligible students to pay for the difference between the amount of the registration fee and other mandatory fees charged to a student by a community college for the academic year and the total amount of any other gift aid received by the student for the academic year.

2. The ~~{Board of Regents}~~ Office shall administer the Program.

3. In administering the Program, the ~~{Board of Regents}~~ Office shall adopt regulations governing:

(a) The procedures and standards for determining the eligibility of a student for a Nevada Promise Scholarship pursuant to NRS 396.9665.

(b) An application process administered through the community colleges which allows a student to participate in the Program.

(c) Deadlines for a student to satisfy the requirements for eligibility in the Program.

(d) A training program administered through the community colleges which allows a student to satisfy the requirements of paragraph (f) of subsection 1 of NRS 396.9665.



(e) A mentoring program administered through the community colleges which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of NRS 396.9665.

(f) The criteria for completing the community service requirements of paragraph (h) of subsection 1 of NRS 396.9665.

(g) Procedures which allow a student to appeal any adverse decision concerning his or her eligibility to receive a Nevada Promise Scholarship.

(h) Procedures for a community college to accept gifts, grants and donations from any source for the purposes of carrying out its duties under the Program as prescribed by the ~~{Board of Regents}~~ **Office**.

(i) Procedures and standards for determining the eligibility of a student for financial aid if the student is prohibited by law from completing the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090.

4. The ~~{Board of Regents}~~ **Office** may adopt regulations authorizing a community college to enter into an agreement with one or more nonprofit organizations or governmental entities to conduct any activities required by the ~~{Board of Regents}~~ **Office** for a training program which allows a student to satisfy the requirements of paragraph (f) of subsection 1 of NRS 396.9665 and a mentoring program which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of NRS 396.9665.

5. The ~~{Board of Regents}~~ **Office** may adopt any other regulations necessary to carry out the Program.

Sec. 224. NRS 396.9665 is hereby amended to read as follows:

396.9665 1. To be eligible to receive a Nevada Promise Scholarship, a student must:

(a) Be a bona fide resident of this State, as construed in NRS 396.540, or have graduated from a high school located in this State.

(b) Have not previously been awarded an associate's degree or bachelor's degree.

(c) Have obtained a high school diploma awarded by a public or private high school located in this State or public high school that is located in a county that borders this State and accepts pupils who are residents of this State or have successfully completed the high school equivalency assessment selected by the State Board pursuant to NRS 390.055 before 20 years of age.

(d) Complete the application for the Nevada Promise Scholarship Program in accordance with the regulations prescribed by the ~~{Board of Regents}~~ **Office**.

(e) Complete the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 or, if the student is prohibited by



1 law from completing the Free Application for Federal Student Aid,
2 an alternative determination for financial aid prescribed by the
3 ~~{Board of Regents}~~ Office for each academic year of participation in
4 the Program on or before the deadline prescribed by the ~~{Board of~~
5 ~~Regents.}~~ Office.

6 (f) Before enrolling in a community college, participate in one
7 training meeting related to financial aid, the Free Application for
8 Federal Student Aid and college orientation, as prescribed by the
9 ~~{Board of Regents}~~ Office by regulation.

10 (g) Have met at least once with a mentor assigned to the student
11 through the mentoring program established by the ~~{Board of~~
12 ~~Regents}~~ Office pursuant to NRS 396.965 before the first semester
13 of enrollment at a community college and at least twice for each
14 academic year while participating in the Program.

15 (h) Complete at least 8 hours of community service during the
16 last year of high school and before the first semester of enrollment
17 at a community college and at least 8 hours of community service
18 each semester thereafter, not including summer academic terms,
19 while participating in the Program. Community service performed to
20 satisfy the requirements of this paragraph must not include religious
21 proselytizing or service for which the student receives any type of
22 compensation or which directly benefits a member of the family of
23 the student.

24 (i) Submit all information deemed necessary by the ~~{Board of~~
25 ~~Regents}~~ Office to determine the student's eligibility for gift aid.

26 (j) Except as otherwise provided in subsection 2, be enrolled in
27 at least 12 semester credit hours in a program of study leading to a
28 recognized degree or certificate at a community college for the fall
29 semester of the academic year immediately following the school
30 year in which the student was awarded a high school diploma or
31 have successfully completed the high school equivalency
32 assessment selected by the State Board pursuant to NRS 390.055.

33 (k) Except as otherwise provided in subsection 2 and this
34 paragraph, be enrolled in at least 12 semester credit hours in a
35 program of study leading to a recognized degree or certificate at a
36 community college for each fall semester and spring semester
37 beginning with the first semester for which the student received a
38 Nevada Promise Scholarship, not including summer academic
39 terms. A student who is on schedule to graduate at:

40 (1) The end of a semester may enroll in the number of
41 semester credit hours required to graduate.

42 (2) The end of a fall semester is not required to enroll in
43 credit hours for the spring semester.

44 (l) Meet satisfactory academic progress, as defined by federal
45 requirements established pursuant to Title IV of the Higher



1 Education Act of 1965, 20 U.S.C. §§ 1001 et seq., and determined
2 by the community college in which the student is enrolled.

3 2. The ~~{Board of Regents}~~ Office shall establish criteria with
4 respect to students who have a documented physical or mental
5 disability or who were previously subject to an individualized
6 education program under the Individuals with Disabilities Act, 20
7 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation
8 Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an
9 exemption for those students from:

10 (a) The limitation on eligibility for a Nevada Promise
11 Scholarship set forth in paragraph (b) of subsection 3; and

12 (b) The minimum number of credits prescribed in paragraphs (j)
13 and (k) of subsection 1.

14 3. A student who meets the requirements of subsection 1 is
15 eligible for a Nevada Promise Scholarship from the Program until
16 the occurrence of the first of the following events:

17 (a) The student is awarded an associate's degree or bachelor's
18 degree; or

19 (b) Except as otherwise provided in subsection 2, the student
20 receives a Nevada Promise Scholarship from the Program for 2
21 academic years, not including the initial academic year.

22 **Sec. 225.** NRS 396.968 is hereby amended to read as follows:

23 396.968 1. The ~~{Board of Regents}~~ Office shall award
24 Nevada Promise Scholarships in accordance with this section to
25 students who are enrolled at a community college and are eligible to
26 receive such scholarships under the provisions of NRS 396.9665.

27 2. For each eligible student, the ~~{Board of Regents}~~ Office
28 shall:

29 (a) Calculate the maximum amount of a Nevada Promise
30 Scholarship which the student is eligible to receive based on criteria
31 established by regulation pursuant to this section.

32 (b) Determine the actual amount of the Nevada Promise
33 Scholarship, if any, which will be awarded to the student, which
34 must not exceed the maximum amount calculated pursuant to
35 paragraph (a), but which may be in a lesser amount if the ~~{Board of~~
36 ~~Regents}~~ Office receives notice from the State Treasurer pursuant to
37 subsection 3 that the money available in the Nevada Promise
38 Scholarship Account for any semester is insufficient to award to all
39 eligible students the maximum amount of a Nevada Promise
40 Scholarship which each student is eligible to receive.

41 (c) If the student is to receive a Nevada Promise Scholarship,
42 award the student a Nevada Promise Scholarship in the amount
43 determined pursuant to paragraph (b). The ~~{Board of Regents}~~
44 Office shall disburse the amount of the Nevada Promise Scholarship



awarded to the student, on behalf of the student, directly to the community college in which the student is enrolled.

3. The ~~{Board of Regents}~~ Office shall submit a request for a disbursement from the Nevada Promise Scholarship Account created by NRS 396.9645 for the maximum amount of money that will be required to fund a scholarship for each eligible student. Within the limits of money available in the Nevada Promise Scholarship Account, the State Treasurer shall disburse the amount requested to the ~~{Board of Regents}~~ Office for disbursement to each community college. If there is insufficient money in the Account to disburse that amount to each community college, the State Treasurer shall provide notice that insufficient money remains in the Nevada Promise Scholarship Account to the ~~{Board of Regents}~~ Office. The State Treasurer shall include in the notice the amount of money available for the award of Nevada Promise Scholarships for the academic year and request that a new request be submitted.

4. The ~~{Board of Regents}~~ Office shall adopt regulations prescribing:

(a) The criteria for determining the maximum amount of a Nevada Promise Scholarship for an eligible student which is equal to the difference between the amount of the registration fee and other mandatory fees charged to the student by the community college in which the student is enrolled for the academic year, excluding any amount of those fees that is waived by the community college in which the student is enrolled, and the total amount of any other gift aid received by the student for the academic year.

(b) The procedures for submitting a request for disbursement from the Nevada Promise Scholarship Account.

(c) The procedures and standards for determining the actual amount of the Nevada Promise Scholarship which will be awarded to each student upon receiving notice that there is insufficient money to award all eligible students the maximum amount of the scholarship which each student is eligible to receive. Such procedures and standards may include, without limitation, administration of the program on a first-come, first-served basis for all students who are eligible to participate in the Program.

(d) Procedures to ensure that all money from a Nevada Promise Scholarship awarded to a student that is refunded in whole or in part for any reason is refunded to the Nevada Promise Scholarship Account and not the student.

Sec. 226. NRS 396.9682 is hereby amended to read as follows:

396.9682 1. ~~{The Board of Regents}~~ A relevant higher education governing body may grant a leave of absence from the



Program to a student upon request. A student may request a leave of absence for:

(a) An illness or serious medical problem of the student or a member of the student's immediate family;

(b) Extreme financial hardship for the student or a member of the student's immediate family;

(c) Engaging in any activity required or encouraged for members of the student's religious faith;

(d) Mobilization of the student's unit of the Armed Forces of the United States or National Guard; or

(e) Any other extraordinary circumstances beyond the control of the student that would create a substantial hardship for the student, as determined by the ~~{Board of Regents}~~ *relevant higher education governing body*.

2. If ~~{the Board of Regents}~~ *a relevant higher education governing body* grants a leave of absence to a student : ~~{, the Board of Regents shall:}~~

(a) ~~{Make}~~ *The relevant higher education governing body shall make* a determination in accordance with regulations adopted by the ~~{Board of Regents}~~ *Office* as to which requirements for eligibility in the Program set forth in NRS 396.9665 are appropriate to waive for the student; and

(b) ~~{Waive}~~ *The Office shall waive* requirements for eligibility as determined pursuant to paragraph (a) for the student for the length of the leave of absence.

3. The ~~{Board of Regents}~~ *Office* shall adopt regulations establishing:

(a) Procedures for a student to request a leave of absence pursuant to subsection 1; and

(b) Criteria for determining appropriate requirements for eligibility to waive for a student who has been granted a leave of absence pursuant to subsection 2.

Sec. 227. NRS 396.9685 is hereby amended to read as follows:

396.9685 1. On or before August 1 of each year, the ~~{Board of Regents}~~ *Office* shall:

(a) Review all Nevada Promise Scholarships awarded for the immediately preceding academic year;

(b) Compile a report for the immediately preceding academic year, which must include the number of students who applied for a scholarship, the number of students who received a scholarship, the total cost associated with the award of Nevada Promise Scholarships, the total number of hours of community service performed pursuant to NRS 396.9665, the graduation rate of



1 students who received a scholarship and the scholarship retention
2 rate; and

3 (c) Submit the report to the Director of the Legislative Counsel
4 Bureau for transmittal to:

5 (1) In even-numbered years, the next regular session of the
6 Legislature; and

7 (2) In odd-numbered years, the Joint Interim Standing
8 Committee on Education.

9 2. As used in this section, “scholarship retention rate” means
10 the percentage of students who received a scholarship for the
11 academic year immediately preceding the academic year to which a
12 report compiled pursuant to subsection 1 pertains who did not
13 graduate by the end of that academic year and who also received a
14 Nevada Promise Scholarship for the academic year to which the
15 report pertains.

16 **Sec. 228.** NRS 396.970 is hereby amended to read as follows:

17 396.970 1. Except as otherwise provided in subsection 2, it is
18 unlawful for a person to engage in any kind of surreptitious
19 electronic surveillance ~~on a campus of~~ **at an institution within** the
20 **University or** System without the knowledge of the person being
21 observed.

22 2. Subsection 1 does not apply to any electronic surveillance:

23 (a) Authorized by a court order issued to a public officer, based
24 upon a showing of probable cause to believe that criminal activity is
25 occurring on the property under surveillance;

26 (b) By a law enforcement agency pursuant to a criminal
27 investigation;

28 (c) By a peace officer pursuant to NRS 289.830;

29 (d) Which is necessary as part of a system of security used to
30 protect and ensure the safety of persons on the campus; or

31 (e) Of a class or laboratory when authorized by the teacher of
32 the class or laboratory.

33 **Sec. 229.** NRS 396.980 is hereby amended to read as follows:

34 396.980 1. It is unlawful for a person who knows or in the
35 exercise of reasonable care should know that a substance or material
36 contains at least one-tenth of 1 percent by weight or volume of a
37 diisocyanate to use, or cause or permit another person to use, the
38 substance or material in the maintenance or repair of a building
39 owned or operated by the **University or** System while any person
40 who is not necessary to the maintenance or repair is present in the
41 building.

42 2. A person who knows or in the exercise of reasonable care
43 should know that a substance or material which contains at least
44 one-tenth of 1 percent by weight or volume of a diisocyanate has
45 been used in the maintenance or repair of a building owned or



operated by the **University or** System shall ensure that the building is not occupied for at least 4 hours following the use of that substance or material by any person who is not necessary to the maintenance or repair.

3. A person who violates subsection 1 or 2 is guilty of a gross misdemeanor.

4. For the purposes of this section, “diisocyanate” includes, without limitation, toluene diisocyanate (TDI), methylene bisphenyl isocyanate (MDI) or hexamethylene diisocyanate (HDI).

Sec. 230. NRS 396.990 is hereby amended to read as follows:

396.990 1. It is unlawful for a person knowingly to use or attempt to use:

(a) A false or misleading degree or honorary degree conferred by the **University or** System or another public postsecondary educational institution, regardless of whether that institution is located in this State and regardless of whether that institution is authorized to operate in this State; or

(b) A degree or honorary degree conferred by the **University or** System or another public postsecondary educational institution in a false or misleading manner, regardless of whether that institution is located in this State and regardless of whether that institution is authorized to operate in this State,

↪ in connection with admission to any institution of higher education or in connection with any business, employment, occupation, profession, trade or public office.

2. Unless a greater penalty is provided by specific statute, a person who violates the provisions of this section is guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

3. In addition to any criminal penalty imposed pursuant to subsection 2, a person who violates the provisions of this section is subject to a civil penalty in an amount not to exceed \$5,000 for each violation. The Attorney General or any district attorney of this State may recover the penalty in a civil action brought in the name of the State of Nevada in any court of competent jurisdiction.

4. For the purposes of this section, a degree or honorary degree is false or misleading or is used in a false or misleading manner if it:

(a) States or suggests that the person named in the degree or honorary degree has completed the requirements of an academic or professional program of study in a particular field of endeavor beyond the secondary school level and the person has not, in fact, completed the requirements of the program of study;

(b) Is offered as his or her own by a person other than the person who completed the requirements of the program of study; or



(c) Is awarded, bestowed, conferred, given, granted, conveyed or sold:

(1) Based upon more than 10 percent of the recipient's documented life experience and not based upon actual completion of academic work; or

(2) In violation of this chapter.

5. As used in this section:

(a) "Degree" has the meaning ascribed to it in NRS 394.620.

(b) "Honorary degree" has the meaning ascribed to it in NRS 394.620.

Sec. 231. Chapter 400 of NRS is hereby amended by adding thereto a new section to read as follows:

"University" means the University of Nevada, as described in NRS 396.020.

Sec. 232. NRS 400.010 is hereby amended to read as follows:

400.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 400.014 and 400.020 *and section 231 of this act* have the meanings ascribed to them in those sections.

Sec. 233. NRS 400.027 is hereby amended to read as follows:

400.027 1. The P-20W Research Data System Advisory Committee is hereby created to assist in the coordination and management of the statewide longitudinal data system administered by the Governor's Office of Workforce Innovation pursuant to NRS 232.975. The Chancellor of the ~~{System,}~~ *University*, the Superintendent of Public Instruction and the Director of the Department of Employment, Training and Rehabilitation or their designees serve as ex officio members of the Committee.

2. The Committee may, by a vote of the majority of the Committee, nominate additional members for consideration by the Governor to be appointed to the Committee. The Governor may appoint a nominee to the Committee if the Governor determines that the addition of the nominee to the Committee is necessary or desirable.

3. Each appointed member of the Committee serves a term of 3 years and may be reappointed.

4. The Governor shall call the first meeting of the Committee. At its first meeting and annually thereafter, the members of the Committee shall elect a Chair and a Vice Chair from among the members of the Committee.

5. The Committee shall meet at least once each calendar year and, after its first meeting, at the call of the Chair.

6. The Governor's Office of Workforce Innovation shall provide any administrative support necessary for the Committee to carry out its duties.



Sec. 234. NRS 400.037 is hereby amended to read as follows:

400.037 1. The Committee shall:

(a) Support and advise the Executive Director of the Governor's Office of Workforce Innovation regarding the maintenance and oversight of the statewide longitudinal data system;

(b) Develop a plan for collaborative research using data from the statewide longitudinal data system; and

(c) Advise and assist **the University**, the System, the Department of Education, the Governor's Office of Workforce Innovation and the Department of Employment, Training and Rehabilitation in:

(1) Applying for and obtaining grants of money for the operation of the statewide longitudinal data system or to carry out the work of the Committee;

(2) Budgeting for the operation of the statewide longitudinal data system or to carry out the work of the Committee;

(3) Proposing legislation relating to the statewide longitudinal data system or to carry out the work of the Committee; and

(4) Matters relating to any contract for any services necessary for the operation or utilization of the statewide longitudinal data system or to carry out the work of the Committee.

2. As used in this section, "statewide longitudinal data system" means the system administered by the Governor's Office of Workforce Innovation pursuant to NRS 232.975.

Sec. 235. NRS 1.530 is hereby amended to read as follows:

1.530 1. The Chief Justice shall appoint, from a list of recommendations submitted to the Chief Justice by the Court Administrator, a committee to advise the Court Administrator regarding adoption of regulations pursuant to NRS 1.510 and 1.520. The committee must consist of:

(a) A district judge;

(b) A justice of the peace or municipal judge in a county whose population is less than 100,000;

(c) An administrator of a district court;

(d) An administrator of a justice court or municipal court in a county whose population is less than 100,000;

(e) A representative of the Nevada System of Higher Education;

(f) **A representative of the University of Nevada;**

(g) A representative of a nonprofit organization for persons who speak a language other than English;

~~(g)~~ **(h)** A person certified to act as an interpreter for a court of this State or a federal court;

~~(h)~~ **(i)** A person certified to act as an interpreter for a court of this State in the Spanish language; and



~~(H)~~ (I) A person certified or registered to act as an interpreter for a court of this State in a language other than Spanish.

2. The Court Administrator is ex officio chair of the committee.

3. Members of the committee shall serve in that capacity without any additional compensation.

4. The committee shall submit an annual report to the Chief Justice and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature and make the annual report available to the public. The annual report must contain, without limitation:

(a) A summary of the activities of the committee during the immediately preceding fiscal year, including any development of recommendations for revisions to the Nevada State Court Language Access Plan adopted by the Nevada Certified Court Interpreter Program as established pursuant to NRS 1.510; and

(b) Statistical information concerning the usage of court interpreters, including, without limitation, information on the usage of certified and registered court interpreters and the demand for court interpreters for persons with limited English proficiency in courts of this State.

Sec. 236. NRS 2.345 is hereby amended to read as follows:

2.345 The following persons and agencies are entitled to the decisions of the Supreme Court and the Court of Appeals in pamphlet or electronic form without charge:

1. Each of the judges of the District Court of the United States, one copy.

2. The Supreme Court Law Library, two copies.

3. Each state officer, district judge, district attorney, county clerk, justice of the peace and municipal judge in this State, one copy.

4. The Legislative Counsel.

5. Each public library in this State, one copy.

6. Each library in the *University of Nevada and the Nevada System of Higher Education*, one copy.

7. Each newspaper published in this State, and each commercial television and radio station transmitting in this State, one copy upon its annual request therefor.

Sec. 237. NRS 37.010 is hereby amended to read as follows:

37.010 1. Subject to the provisions of this chapter and the limitations in subsections 2 and 3, the right of eminent domain may be exercised in behalf of the following public uses:

(a) Federal activities. All public purposes authorized by the Government of the United States.

(b) State activities. Public buildings and grounds for the use of the State, *the University of Nevada*, the Nevada System of Higher



1 Education and all other public purposes authorized by the
2 Legislature.

3 (c) County, city, town and school district activities. Public
4 buildings and grounds for the use of any county, incorporated city or
5 town, or school district, reservoirs, water rights, canals, aqueducts,
6 flumes, ditches or pipes for conducting water for the use of the
7 inhabitants of any county, incorporated city or town, for draining
8 any county, incorporated city or town, for raising the banks of
9 streams, removing obstructions therefrom, and widening, deepening
10 or straightening their channels, for roads, streets and alleys, and all
11 other public purposes for the benefit of any county, incorporated
12 city or town, or the inhabitants thereof.

13 (d) Bridges, toll roads, railroads, street railways and similar
14 uses. Wharves, docks, piers, chutes, booms, ferries, bridges, toll
15 roads, byroads, plank and turnpike roads, roads for transportation by
16 traction engines or locomotives, roads for logging or lumbering
17 purposes, and railroads and street railways for public transportation.

18 (e) Ditches, canals, aqueducts for smelting, domestic uses,
19 irrigation and reclamation. Reservoirs, dams, water gates, canals,
20 ditches, flumes, tunnels, aqueducts and pipes for supplying persons,
21 mines, mills, smelters or other works for the reduction of ores, with
22 water for domestic and other uses, for irrigating purposes, for
23 draining and reclaiming lands, or for floating logs and lumber on
24 streams not navigable.

25 (f) Byroads. Byroads leading from highways to residences and
26 farms.

27 (g) Public utilities. Lines for telephone, electric light and electric
28 power and sites for plants for electric light and power.

29 (h) Sewerage. Sewerage of any city, town, settlement of not less
30 than 10 families or any public building belonging to the State or
31 college or university.

32 (i) Water for generation and transmission of electricity. Canals,
33 reservoirs, dams, ditches, flumes, aqueducts and pipes for supplying
34 and storing water for the operation of machinery to generate and
35 transmit electricity for power, light or heat.

36 (j) Cemeteries, public parks. Cemeteries or public parks.

37 (k) Pipelines for petroleum products, natural gas. Pipelines for
38 the transportation of crude petroleum, petroleum products or natural
39 gas, whether interstate or intrastate.

40 (l) Aviation. Airports, facilities for air navigation and aerial
41 rights-of-way.

42 (m) Monorails. Monorails and any other overhead or
43 underground system used for public transportation.

44 (n) Video service providers. Video service providers that are
45 authorized pursuant to chapter 711 of NRS to operate a video



1 service network. The exercise of the power of eminent domain may
2 include the right to use the wires, conduits, cables or poles of any
3 public utility if:

4 (1) It creates no substantial detriment to the service provided
5 by the utility;

6 (2) It causes no irreparable injury to the utility; and

7 (3) The Public Utilities Commission of Nevada, after giving
8 notice and affording a hearing to all persons affected by the
9 proposed use of the wires, conduits, cables or poles, has found that it
10 is in the public interest.

11 (o) Redevelopment. The acquisition of property pursuant to
12 chapter 279 of NRS.

13 2. Notwithstanding any other provision of law and except as
14 otherwise provided in this subsection, the public uses for which
15 private property may be taken by the exercise of eminent domain do
16 not include the direct or indirect transfer of any interest in the
17 property to another private person or entity. Property taken by the
18 exercise of eminent domain may be transferred to another private
19 person or entity in the following circumstances:

20 (a) The entity that took the property transfers the property to a
21 private person or entity and the private person or entity uses the
22 property primarily to benefit a public service, including, without
23 limitation, a utility, railroad, public transportation project, pipeline,
24 road, bridge, airport or facility that is owned by a governmental
25 entity.

26 (b) The entity that took the property leases the property to a
27 private person or entity that occupies an incidental part of an airport
28 or a facility that is owned by a governmental entity and, before
29 leasing the property:

30 (1) Uses its best efforts to notify the person from whom the
31 property was taken that the property will be leased to a private
32 person or entity that will occupy an incidental part of an airport or
33 facility that is owned by a governmental entity; and

34 (2) Provides the person from whom the property was taken
35 with an opportunity to bid or propose on any such lease.

36 (c) The entity that took the property:

37 (1) Took the property in order to acquire property that was
38 abandoned by the owner, abate an immediate threat to the safety of
39 the public or remediate hazardous waste; and

40 (2) Grants a right of first refusal to the person from whom
41 the property was taken that allows that person to reacquire the
42 property on the same terms and conditions that are offered to the
43 other private person or entity.

44 (d) The entity that took the property exchanges it for other
45 property acquired or being acquired by eminent domain or under the



1 threat of eminent domain for roadway or highway purposes, to
2 relocate public or private structures or to avoid payment of
3 excessive compensation or damages.

4 (e) The person from whom the property is taken consents to the
5 taking.

6 3. The entity that is taking property by the exercise of eminent
7 domain has the burden of proving that the taking is for a public use.

8 4. For the purposes of this section, an airport authority or any
9 public airport is not a private person or entity.

10 **Sec. 238.** NRS 41.950 is hereby amended to read as follows:

11 41.950 1. In an action brought pursuant to NRS 41.900 which
12 results in the court entering a certificate of innocence pursuant to
13 NRS 41.910, the court shall award the person:

14 (a) If the person was imprisoned for:

15 (1) One to 10 years, \$50,000 for each year the person was
16 imprisoned for his or her wrongful conviction;

17 (2) Eleven to 20 years, \$75,000 for each year the person was
18 imprisoned for his or her wrongful conviction; or

19 (3) Twenty-one years or more, \$100,000 for each year the
20 person was imprisoned for his or her wrongful conviction; and

21 (b) Not less than \$25,000 for each year the person was on parole
22 or not less than \$25,000 for each year the person was required to
23 register as a sex offender, whichever period of time was greater.

24 2. In addition to any damages awarded pursuant to subsection
25 1, the court may award:

26 (a) Reasonable attorney's fees, not to exceed \$25,000, unless a
27 greater amount is authorized by a court upon a finding of good
28 cause shown.

29 (b) Subject to the limitations in subsection 6, payment for the
30 cost of:

31 (1) Tuition, books and fees for the person to enroll in any
32 course or academic program at an institution operated by *the*
33 *University of Nevada or* the Nevada System of Higher Education
34 commenced not later than 3 years and completed not later than 10
35 years after the date the award of damages is issued pursuant to
36 subsection 1.

37 (2) Participation by the person in Medicare or Medicaid, if
38 the person is eligible for Medicare or Medicaid, or a qualified health
39 plan offered on the health insurance exchange administered by the
40 Silver State Health Insurance Exchange which has been designated
41 by the Exchange as a Bronze or Silver plan, if the person is not
42 eligible for Medicare or Medicaid. The court shall not award
43 payment pursuant to this subparagraph for any period in which the
44 person is enrolled in an employer-based health insurance plan.



(3) Programs for reentry into the community for the person commenced not later than 3 years and completed not later than 5 years after the date the award of damages is issued pursuant to subsection 1.

(4) Counseling services for the person commenced not later than 2 years after the date the award of damages is issued pursuant to subsection 1.

(5) Housing assistance in an amount not greater than \$15,000 per year.

(6) Programs for assistance for financial literacy for the person commenced not later than 2 years and completed not later than 3 years after the date the award of damages is issued pursuant to subsection 1.

(c) Reimbursement for:

(1) Restitution ordered to be paid by the person in the criminal proceeding for which he or she was wrongfully convicted; and

(2) Medical care paid for by the person while he or she was imprisoned for his or her wrongful conviction.

(d) Any other relief.

3. Any award of damages issued pursuant to subsection 1 must be rounded up to the nearest half year.

4. A court shall not award and a person shall not receive compensation for any period of imprisonment during which the person was concurrently serving a sentence for a conviction of another offense for which the person was lawfully convicted and imprisoned.

5. If counseling services are awarded to the person pursuant to subsection 2, the person may select a relative to receive counseling with the person. As used in this subsection, "relative" means a person who is related by blood, adoption, marriage or domestic partnership within the third degree of consanguinity or affinity.

6. A court shall not award payment pursuant to paragraph (b) of subsection 2:

(a) In an amount greater than \$100,000 in a calendar year.

(b) For a length of time that exceeds the period of time described in subsection 1 during which the person was imprisoned or on parole.

7. As used in this section, "qualified health plan" has the meaning ascribed to it in NRS 695I.080.

Sec. 239. NRS 43.080 is hereby amended to read as follows:

43.080 "Municipality" means the State of Nevada, or any corporation, instrumentality or other agency thereof, or any incorporated city, any unincorporated town, or any county, school district, conservancy district, drainage district, irrigation district,



1 general improvement district, other corporate district constituting a
2 political subdivision of this State, housing authority, urban renewal
3 authority, other type of authority, *the University of Nevada*, the
4 Nevada System of Higher Education, the Board of Regents of the
5 University of Nevada, *each board of trustees of a state college or*
6 *community college in this State* or any other body corporate and
7 politic of the State of Nevada, but excluding the Federal
8 Government.

9 **Sec. 240.** NRS 49.117 is hereby amended to read as follows:

10 49.117 As used in NRS 49.117 to 49.123, inclusive, unless the
11 context otherwise requires, “review committee” means:

12 1. An organized committee of:

13 (a) A hospital;

14 (b) An ambulatory surgical center;

15 (c) A health maintenance organization;

16 (d) An organization that provides emergency medical services
17 pursuant to the provisions of chapter 450B of NRS;

18 (e) A medical facility as defined in NRS 449.0151; or

19 (f) An institution ~~to~~ *within the University of Nevada* or the
20 Nevada System of Higher Education or any ~~of its~~ affiliated
21 organizations that provides a clinical program or practice related to
22 the medical treatment or care of patients,

23 ➤ which has the responsibility of evaluating and improving the
24 quality of care rendered by the parent organization;

25 2. A peer review committee of a medical or dental society; or

26 3. A medical review committee of a county or district board of
27 health that certifies, licenses or regulates providers of emergency
28 medical services pursuant to the provisions of chapter 450B of NRS,
29 but only when functioning as a peer review committee.

30 **Sec. 241.** NRS 49.2545 is hereby amended to read as follows:

31 49.2545 “Victim’s advocate” means a person who works for a
32 nonprofit program, a program of a university, state college or
33 community college within the *University of Nevada* or the Nevada
34 System of Higher Education or a program of a tribal organization
35 which provides assistance to victims or who provides services to a
36 victim of an alleged incident of sexual misconduct pursuant to NRS
37 396.125 to 396.1595, inclusive, with or without compensation and
38 who has received at least 20 hours of relevant training.

39 **Sec. 242.** NRS 49.2546 is hereby amended to read as follows:

40 49.2546 1. A communication shall be deemed to be
41 confidential if the communication is between a victim and a victim’s
42 advocate and is not intended to be disclosed to third persons other
43 than:

44 (a) A person who is present to further the interest of the victim;



(b) A person reasonably necessary for the transmission of the communication; or

(c) A person who is participating in the advice, counseling or assistance of the victim, including, without limitation, a member of the victim's family.

2. As used in this section, "communication" includes, without limitation, all records concerning the victim and the services provided to the victim which are within the possession of:

(a) The victim's advocate; or

(b) The nonprofit program, the program of a university, state college or community college within *the University of Nevada* or the Nevada System of Higher Education or the program of a tribal organization for whom the victim's advocate works.

Sec. 243. NRS 62C.060 is hereby amended to read as follows:

62C.060 1. If a child is taken into custody for an unlawful act that involves the possession, use or threatened use of a firearm, the child must not be released before a detention hearing is held pursuant to NRS 62C.040.

2. At the detention hearing, the juvenile court shall, if the child was taken into custody for:

(a) Carrying or possessing a firearm while on the property of *the University of Nevada*, the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility, order the child to:

(1) Be evaluated by a qualified professional; and

(2) Submit to a test to determine whether the child is using any controlled substance.

(b) Committing an unlawful act involving a firearm other than the act described in paragraph (a), determine whether to order the child to be evaluated by a qualified professional.

3. If the juvenile court orders the child to be evaluated by a qualified professional or to submit to a test to determine whether the child is using any controlled substance, the evaluation or the results from the test must be completed not later than 14 days after the detention hearing. Until the evaluation or the test is completed, the child must be:

(a) Detained at a facility for the detention of children; or

(b) Placed under a program of supervision in the home of the child that may include electronic surveillance of the child.

4. If a child is evaluated by a qualified professional pursuant to this section, the statements made by the child to the qualified professional during the evaluation and any evidence directly or indirectly derived from those statements may not be used for any purpose in a proceeding which is conducted to prove that the child committed a delinquent act or criminal offense. The provisions of



1 this subsection do not prohibit the district attorney from proving that
2 the child committed a delinquent act or criminal offense based upon
3 evidence obtained from sources or by means that are independent of
4 the statements made by the child to the qualified professional during
5 the evaluation.

6 5. As used in this section, "child care facility" has the meaning
7 ascribed to it in paragraph (a) of subsection 5 of NRS 202.265.

8 **Sec. 244.** NRS 171.1223 is hereby amended to read as
9 follows:

10 171.1223 1. Except as otherwise provided in subsection 3, in
11 a county whose population is 100,000 or more, a peace officer with
12 limited jurisdiction who witnesses a category A felony being
13 committed or attempted in the officer's presence, or has reasonable
14 cause for believing a person has committed or attempted to commit
15 a category A felony in an area that is within the officer's
16 jurisdiction, shall immediately notify the primary law enforcement
17 agency in the city or county, as appropriate, where the offense or
18 attempted offense was committed.

19 2. Upon arrival of an officer from the primary law enforcement
20 agency notified pursuant to subsection 1, a peace officer with
21 limited jurisdiction shall immediately transfer the investigation of
22 the offense or attempted offense to the primary law enforcement
23 agency.

24 3. The provisions of subsection 1 do not:

25 (a) Apply to an offense or attempted offense that is a
26 misdemeanor, gross misdemeanor or felony other than a category A
27 felony;

28 (b) Apply to an officer of the Nevada Highway Patrol, a member
29 of ~~[the] a~~ police department ~~[of the Nevada System of Higher~~
30 ~~Education,]~~ **created pursuant to NRS 396.325**, an agent of the
31 Investigation Division of the Department of Public Safety or a
32 ranger of the Division of State Parks of the State Department of
33 Conservation and Natural Resources;

34 (c) Apply to a peace officer with limited jurisdiction if an
35 interlocal agreement between the officer's employer and the primary
36 law enforcement agency in the city or county in which a category A
37 felony was committed or attempted authorizes the peace officer with
38 limited jurisdiction to respond to and investigate the felony without
39 immediately notifying the primary law enforcement agency; or

40 (d) Prohibit a peace officer with limited jurisdiction from:

41 (1) Contacting a primary law enforcement agency for
42 assistance with an offense that is a misdemeanor, gross
43 misdemeanor or felony that is not a category A felony; or

44 (2) Responding to a category A felony until the appropriate
45 primary law enforcement agency arrives at the location where the



felony was allegedly committed or attempted, including, without limitation, taking any appropriate action to provide assistance to a victim of the felony, to apprehend the person suspected of committing or attempting to commit the felony, to secure the location where the felony was allegedly committed or attempted and to protect the life and safety of the peace officer and any other person present at that location.

4. As used in this section:

(a) “Peace officer with limited jurisdiction” means:

(1) A school police officer who is appointed or employed pursuant to subsection 5 of NRS 391.281;

(2) An airport guard or police officer who is appointed pursuant to NRS 496.130;

(3) A person employed to provide police services for an airport authority created by a special act of the Legislature; and

(4) A marshal or park ranger who is part of a unit of specialized law enforcement established pursuant to NRS 280.125.

(b) “Primary law enforcement agency” means:

(1) A police department of an incorporated city;

(2) The sheriff’s office of a county; or

(3) If the county is within the jurisdiction of a metropolitan police department, the metropolitan police department.

Sec. 245. NRS 171.1455 is hereby amended to read as follows:

171.1455 1. A peace officer shall use de-escalation techniques and alternatives to the use of force whenever possible or appropriate and consistent with his or her training, including, without limitation, advisements, warnings, verbal persuasion and other tactics. If it is necessary for the peace officer to use force, the peace officer must:

(a) If it is possible to do so safely, identify himself or herself as a peace officer through verbal commands, visual identification, including, without limitation, a clearly marked uniform or vehicle, or other reasonable means; and

(b) Use only the level of force that is objectively reasonable under the circumstances to bring an incident or person under control and safely accomplish a lawful purpose. The level of force used by the officer must, to the extent feasible:

(1) Be balanced against the level of force or resistance exhibited by the person; and

(2) Be carefully controlled.

2. A peace officer may, after giving a warning, if feasible, use deadly force to effect the arrest of a person only if there is probable cause to believe that the person:



(a) Has committed a felony which involves the infliction or threat of serious bodily harm or the use of deadly force; or

(b) Poses an imminent threat of serious bodily harm or death to the peace officer or to others.

3. Each law enforcement agency shall adopt a written policy and provide training to a peace officer regarding the potential threat of serious bodily harm or death to the peace officer or others from a person who:

(a) Is known or reasonably believed not to be armed with a deadly weapon; and

(b) Is known or reasonably believed by the peace officer to be:

(1) Under 13 years of age;

(2) Over 70 years of age;

(3) Physically frail;

(4) Mentally or physically disabled;

(5) Pregnant;

(6) Suffering from a mental or behavioral health issue; or

(7) Experiencing a medical emergency.

4. The written policy adopted and training provided pursuant to subsection 3 must reflect the best practices with respect to the use of force on the persons described in that subsection.

5. In addition to any other information required pursuant to subsection 3, the written policy must include, without limitation:

(a) Guidelines for the use of force;

(b) Guidelines for the use of deadly force;

(c) A requirement that peace officers utilize de-escalation techniques, crisis intervention and other alternatives to force when feasible;

(d) A requirement that peace officers utilize de-escalation techniques for responding to persons with mental illness or experiencing a behavioral health crisis;

(e) A requirement that the law enforcement agency, when feasible, send a peace officer who has been trained in crisis intervention to respond to an incident involving a person who has made suicidal statements;

(f) Factors for evaluating and reviewing all incidents which require the use of force; and

(g) The date on which the written policy was adopted by the law enforcement agency.

6. As used in this section, unless the context otherwise requires:

(a) “Law enforcement agency” means:

(1) A police department of an incorporated city;

(2) The sheriff’s office of a county;

(3) A metropolitan police department;



(4) The Department of Corrections;

(5) ~~{The} A~~ police department ~~{for the Nevada System of Higher Education;}~~ **created pursuant to NRS 396.325;**

(6) Any political subdivision of this State employing park rangers to enforce laws within its jurisdiction; or

(7) Any political subdivision of this State which has as its primary duty the enforcement of law and which employs peace officers pursuant to NRS 289.150 to 289.360, inclusive, to fulfill its duty.

(b) "Level of force" means an escalating series of actions a peace officer may use to resolve or control a situation or person depending on the intensity of the situation or resistance of the person that ranges from the use of no force to the use of deadly force.

Sec. 246. NRS 178A.310 is hereby amended to read as follows:

178A.310 1. There is hereby created the Advisory Committee on Rights of Survivors of Sexual Assault.

2. The Advisory Committee consists of:

(a) The Attorney General;

(b) The Director of the Department of Corrections;

(c) One member who is a law enforcement official working for a local law enforcement agency, appointed by the Nevada Sheriffs' and Chiefs' Association;

(d) One member who is an attorney, appointed by the governing body of the State Bar of Nevada; and

(e) The following members appointed by the Attorney General:

(1) One member who is a survivor and a citizen or lawful resident of this State;

(2) One member who is a representative of an organization supporting the rights of survivors;

(3) One member who is a representative of a center of support for victims of sexual assault;

(4) One member who is a representative of a forensic laboratory;

(5) One member who is a representative of a university, state college or community college within **the University of Nevada or** the Nevada System of Higher Education whose duties of his or her occupation include direct services to victims of sexual assault and whose employer is not under investigation by the United States Department of Education for an alleged violation of 20 U.S.C. § 1092 or Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.;



(6) One member who is a representative of an organization that provides services, education or outreach to minority communities;

(7) One member who is a representative of an organization that provides services, education or outreach to lesbian, gay, bisexual, transgender and questioning persons; and

(8) One member who is a nurse examiner who specializes in forensic medical examinations for sexual assault.

3. The Attorney General may appoint not more than three other persons to the Advisory Committee. The total membership of the Advisory Committee must not exceed 15 members.

4. If any organization listed in subsection 2 ceases to exist, the appointment required pursuant to that subsection must be made by the association's successor in interest or, if there is no successor in interest, by the Attorney General.

5. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Advisory Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

6. At the first regular meeting of each odd-numbered year, the members of the Advisory Committee shall elect a Chair by majority vote who shall serve until the next Chair is elected.

7. The Advisory Committee shall meet at least once annually at a time and place specified by the Chair and may meet at such further times as deemed necessary by the Chair.

8. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Advisory Committee.

9. While engaged in the business of the Advisory Committee, to the extent of legislative appropriation, each member of the Advisory Committee is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. The Attorney General shall provide the staff necessary to carry out the duties of the Advisory Committee.

Sec. 247. NRS 179D.045 is hereby amended to read as follows:

179D.045 "Institution of higher education" means:

1. A university, college or community college which is privately owned or which is part of the *University of Nevada or the Nevada System of Higher Education*; and



2. A postsecondary educational institution, as defined in NRS 394.099, or any other institution of higher education.

Sec. 248. NRS 193.309 is hereby amended to read as follows:

193.309 1. Each law enforcement agency shall annually make available to the public and on a monthly basis submit to the Central Repository a report that includes, without limitation, a compilation of statistics relating to incidents involving the use of force that occurred during the immediately preceding calendar year, or month, as applicable, including, without limitation:

(a) The number of complaints against peace officers employed by the law enforcement agency relating to the use of force and the number of such complaints that were substantiated; and

(b) A compilation of statistics relating to incidents involving the use of force that, for each incident, includes, without limitation, all information collected by the National Use-of-Force Data Collection of the Federal Bureau of Investigation.

2. Each law enforcement agency shall submit the report required pursuant to subsection 1 in a manner approved by the Director of the Department of Public Safety and in accordance with the policies, procedures and definitions of the Department.

3. The Central Repository shall make the use-of-force data submitted by each law enforcement agency pursuant to subsection 1 available for access by the public on the Internet website of the Central Repository.

4. The Central Repository may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section.

5. To the extent of legislative appropriation, the Office of the Attorney General shall:

(a) Review the use-of-force data that is publicly available on the Internet website of the Central Repository;

(b) Prepare a report containing any conclusions or recommendations resulting from its review; and

(c) On or before December 1 of each year, submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature the report prepared pursuant to paragraph (b).

6. Each law enforcement agency in this State shall participate in the National Use-of-Force Data Collection of the Federal Bureau of Investigation.

7. Information collected pursuant to this section must not be introduced into evidence or otherwise used in any way against a peace officer during a criminal proceeding.

8. As used in this section:



(a) “Central Repository” means the Central Repository for Nevada Records of Criminal History.

(b) “Law enforcement agency” means:

(1) The sheriff’s office of a county;

(2) A metropolitan police department;

(3) A police department of an incorporated city;

(4) The Department of Corrections;

(5) ~~{The}~~ A police department ~~{for the Nevada System of Higher Education;}~~ **created pursuant to NRS 396.325;**

(6) Any political subdivision of this State employing park rangers to enforce laws within its jurisdiction; or

(7) Any political subdivision of this State which has as its primary duty the enforcement of law and which employs peace officers to fulfill its duty.

Sec. 249. NRS 201.530 is hereby amended to read as follows:

201.530 “University” means **the University of Nevada or** a university which is privately owned **. {for which is part of the Nevada System of Higher Education.}**

Sec. 250. NRS 202.2483 is hereby amended to read as follows:

202.2483 1. Except as otherwise provided in subsection 3, smoking in any form is prohibited within indoor places of employment including, but not limited to, the following:

(a) Child care facilities;

(b) Movie theatres;

(c) Video arcades;

(d) Government buildings and public places;

(e) Malls and retail establishments;

(f) All areas of grocery stores; and

(g) All indoor areas within restaurants.

2. Without exception, smoking in any form is prohibited within school buildings and on school property.

3. Smoking is not prohibited in:

(a) Areas within casinos where loitering by minors is already prohibited by state law pursuant to NRS 463.350;

(b) Completely enclosed areas with stand-alone bars, taverns and saloons in which patrons under 21 years of age are prohibited from entering;

(c) Age-restricted stand-alone bars, taverns and saloons;

(d) Strip clubs or brothels;

(e) Retail tobacco stores;

(f) The area of a convention facility in which a meeting or trade show is being held, during the time the meeting or trade show is occurring, if the meeting or trade show:

(1) Is not open to the public;



(2) Is being produced or organized by a business relating to tobacco or a professional association for convenience stores; and

(3) Involves the display of tobacco products; and

(g) Private residences, including private residences which may serve as an office workplace, except if used as a child care, an adult day care or a health care facility.

4. A supervisor on duty or employee of an age-restricted stand-alone bar, tavern or saloon or a stand-alone bar, tavern or saloon shall not allow a person who is under 21 years of age to loiter in an age-restricted stand-alone bar, tavern or saloon or an area of a stand-alone bar, tavern or saloon where smoking is allowed pursuant to this section. A person who violates the provisions of this subsection is guilty of a misdemeanor.

5. If a supervisor on duty or employee of an age-restricted stand-alone bar, tavern or saloon or a stand-alone bar, tavern or saloon violates the provisions of subsection 4, the age-restricted stand-alone bar, tavern or saloon or stand-alone bar, tavern or saloon is liable for a civil penalty of:

(a) For the first offense, \$1,000.

(b) For a second or subsequent offense, \$2,000.

6. In any prosecution or other proceeding for a violation of the provisions of subsection 4 or 5, it is no excuse for a supervisor, employee, age-restricted bar, tavern or saloon, or stand-alone bar, tavern or saloon alleged to have committed the violation to plead that a supervisor or employee believed that the person who was permitted to loiter was 21 years of age or older.

7. In areas or establishments where smoking is not prohibited by this section, nothing in state law shall be construed to prohibit the owners of said establishments from voluntarily creating nonsmoking sections or designating the entire establishment as smoke free.

8. Nothing in state law shall be construed to restrict local control or otherwise prohibit a county, city or town from adopting and enforcing local smoking control measures that meet or exceed the minimum applicable standards set forth in this section.

9. “No Smoking” signs or the international “No Smoking” symbol shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this section. Each public place and place of employment where smoking is prohibited shall post, at every entrance, a conspicuous sign clearly stating that smoking is prohibited. All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited.

10. Health authorities, police officers of cities or towns, sheriffs and their deputies shall, within their respective jurisdictions,



1 enforce the provisions of this section and shall issue citations for
2 violations of this section pursuant to NRS 202.2492 and 202.24925.

3 11. No person or employer shall retaliate against an employee,
4 applicant or customer for exercising any rights afforded by, or
5 attempts to prosecute a violation of, this section.

6 12. For the purposes of this section, the following terms have
7 the following definitions:

8 (a) “Age-restricted stand-alone bar, tavern or saloon” means an
9 establishment:

10 (1) Devoted primarily to the sale of alcoholic beverages to be
11 consumed on the premises;

12 (2) In which food service or sales may or may not be
13 incidental food service or sales, in the discretion of the operator of
14 the establishment;

15 (3) In which patrons under 21 years of age are prohibited at
16 all times from entering the premises; and

17 (4) That must be located within:

18 (I) A physically independent building that does not share
19 a common entryway or indoor area with a restaurant, public place or
20 any other indoor workplace where smoking is prohibited by this
21 section; or

22 (II) A completely enclosed area of a larger structure,
23 which may include, without limitation, a strip mall or an airport,
24 provided that indoor windows must remain closed at all times and
25 doors must remain closed when not actively in use.

26 (b) “Casino” means an entity that contains a building or large
27 room devoted to gambling games or wagering on a variety of
28 events. A casino must possess a nonrestricted gaming license as
29 described in NRS 463.0177 and typically uses the word ‘casino’ as
30 part of its proper name.

31 (c) “Child care facility” has the meaning ascribed to it in
32 NRS 441A.030.

33 (d) “Completely enclosed area” means an area that is enclosed
34 on all sides by any combination of solid walls, windows or doors
35 that extend from the floor to the ceiling.

36 (e) “Government building” means any building or office space
37 owned or occupied by:

38 (1) Any component of *the University of Nevada or* the
39 Nevada System of Higher Education and used for any purpose
40 related to the *University or* System;

41 (2) The State of Nevada and used for any public purpose; or

42 (3) Any county, city, school district or other political
43 subdivision of the State and used for any public purpose.

44 (f) “Health authority” has the meaning ascribed to it in
45 NRS 202.2485.



(g) "Incidental food service or sales" means the service of prepackaged food items including, but not limited to, peanuts, popcorn, chips, pretzels or any other incidental food items that are exempt from food licensing requirements pursuant to subsection 2 of NRS 446.870.

(h) "Place of employment" means any enclosed area under the control of a public or private employer which employees frequent during the course of employment including, but not limited to, work areas, restrooms, hallways, employee lounges, cafeterias, conference and meeting rooms, lobbies and reception areas.

(i) "Public places" means any enclosed areas to which the public is invited or in which the public is permitted.

(j) "Restaurant" means a business which gives or offers for sale food, with or without alcoholic beverages, to the public, guests or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere.

(k) "Retail tobacco store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

(l) "School building" means all buildings on the grounds of any public school described in NRS 388.020 and any private school as defined in NRS 394.103.

(m) "School property" means the grounds of any public school described in NRS 388.020 and any private school as defined in NRS 394.103.

(n) "Smoking" means inhaling, exhaling, burning or carrying any liquid or heated cigar, cigarette or pipe or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. The term includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, and the use of any oral smoking device. As used in this paragraph, "electronic smoking device":

(1) Means any product containing or delivering nicotine, a product made or derived from tobacco or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor or aerosol from the product.

(2) Includes any component part of a product described in subparagraph (1), regardless of whether the component part is sold separately.

(3) Does not include any product regulated by the United States Food and Drug Administration pursuant to Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 352 et seq.

(o) "Stand-alone bar, tavern or saloon" means an establishment:



(1) Devoted primarily to the sale of alcoholic beverages to be consumed on the premises;

(2) In which food service or sales may or may not be incidental food service or sales, in the discretion of the operator of the establishment;

(3) In which smoke from such establishments does not infiltrate into areas where smoking is prohibited under the provisions of this section; and

(4) That must be housed in either:

(I) A physically independent building that does not share a common entryway or indoor area with a restaurant, public place or any other indoor workplaces where smoking is prohibited by this section; or

(II) A completely enclosed area of a larger structure, such as a strip mall or an airport, provided that indoor windows must remain shut at all times and doors must remain closed when not actively in use.

(p) "Video arcade" has the meaning ascribed to it in paragraph (d) of subsection 3 of NRS 453.3345.

13. Any statute or regulation inconsistent with this section is null and void.

14. The provisions of this section are severable. If any provision of this section or the application thereof is declared by a court of competent jurisdiction to be invalid or unconstitutional, such declaration shall not affect the validity of the section as a whole or any provision thereof other than the part declared to be invalid or unconstitutional.

Sec. 251. NRS 202.2491 is hereby amended to read as follows:

202.2491 1. Except as otherwise provided in subsections 5 and 6 and NRS 202.24915, the smoking of tobacco in any form is prohibited if done in any:

(a) Public elevator.

(b) Public building.

(c) Public waiting room, lobby or hallway of any:

(1) Medical facility or facility for the dependent as defined in chapter 449 of NRS; or

(2) Office of any chiropractic physician, dentist, physical therapist, physician, podiatric physician, psychologist, optician, optometrist or doctor of Oriental medicine.

(d) Hotel or motel when so designated by the operator thereof.

(e) Public area of a store principally devoted to the sale of food for human consumption off the premises.

(f) Child care facility.



(g) Bus used by the general public, other than a chartered bus, or in any maintenance facility or office associated with a bus system operated by any regional transportation commission.

(h) School bus.

(i) Video arcade.

2. The person in control of an area listed in paragraph (c), (d), (e) or (g) of subsection 1:

(a) Shall post in the area signs prohibiting smoking in any place not designated for that purpose as provided in paragraph (b).

(b) May designate separate rooms or portions of the area which may be used for smoking, except for a room or portion of the area of a store described in paragraph (e) of subsection 1 if the room or portion of the area:

(1) Is leased to or operated by a person licensed pursuant to NRS 463.160; and

(2) Does not otherwise qualify for an exemption set forth in NRS 202.24915.

3. The person in control of a public building:

(a) Shall post in the area signs prohibiting smoking in any place not designated for that purpose as provided in paragraph (b).

(b) Shall, except as otherwise provided in this subsection, designate a separate area which may be used for smoking.

➤ A school district which prohibits the use of tobacco by pupils need not designate an area which may be used by the pupils to smoke.

4. The operator of a restaurant with a seating capacity of 50 or more shall maintain a flexible nonsmoking area within the restaurant and offer each patron the opportunity to be seated in a smoking or nonsmoking area.

5. A business which derives more than 50 percent of its gross receipts from the sale of alcoholic beverages or 50 percent of its gross receipts from gaming operations may be designated as a smoking area in its entirety by the operator of the business.

6. The smoking of tobacco is not prohibited in:

(a) Any room or area designated for smoking pursuant to paragraph (b) of subsection 2 or paragraph (b) of subsection 3.

(b) A licensed gaming establishment. A licensed gaming establishment may designate separate rooms or areas within the establishment which may or may not be used for smoking.

7. As used in this section:

(a) "Child care facility" means an establishment operated and maintained to furnish care on a temporary or permanent basis, during the day or overnight, to five or more children under 18 years of age, if compensation is received for the care of any of those



children. The term does not include the home of a natural person who provides child care.

(b) “Licensed gaming establishment” has the meaning ascribed to it in NRS 463.0169.

(c) “Public building” means any building or office space owned or occupied by:

(1) Any component of *the University of Nevada or* the Nevada System of Higher Education and used for any purpose related to the *University or* System.

(2) The State of Nevada and used for any public purpose, other than that used by the Department of Corrections to house or provide other services to offenders.

(3) Any county, city, school district or other political subdivision of the State and used for any public purpose.

➔ If only part of a building is owned or occupied by an entity described in this paragraph, the term means only that portion of the building which is so owned or occupied.

(d) “School bus” has the meaning ascribed to it in NRS 483.160.

(e) “Video arcade” means a facility legally accessible to persons under 18 years of age which is intended primarily for the use of pinball and video machines for amusement and which contains a minimum of 10 such machines.

Sec. 252. NRS 202.265 is hereby amended to read as follows:

202.265 1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the *University of Nevada*, Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility:

(a) An explosive or incendiary device;

(b) A dirk, dagger or switchblade knife;

(c) A nunchaku or trefoil;

(d) A blackjack or billy club or metal knuckles;

(e) A pneumatic gun;

(f) A pistol, revolver or other firearm; or

(g) Any device used to mark any part of a person with paint or any other substance.

2. Any person who violates subsection 1 is guilty of a gross misdemeanor.

3. This section does not prohibit the possession of a weapon listed in subsection 1 on the property of:

(a) A private or public school or child care facility by a:

(1) Peace officer;

(2) School security guard; or

(3) Person having written permission from the president of a branch or facility of the *University of Nevada or* Nevada System of



Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon.

(b) A child care facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.

4. The provisions of this section apply to a child care facility located at or in the home of a natural person only during the normal hours of business of the facility.

5. For the purposes of this section:

(a) "Child care facility" means any child care facility that is licensed pursuant to chapter 432A of NRS or licensed by a city or county.

(b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

(c) "Pneumatic gun" means any implement designed as a gun that may expel a ball bearing or a pellet by action of pneumatic pressure. The term includes, without limitation, a paintball gun that expels plastic balls filled with paint for the purpose of marking the point of impact.

(d) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocketknife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism. The term does not include a knife which has a blade that is held in place by a spring if the blade does not have any type of automatic release.

(e) "Trefoil" has the meaning ascribed to it in NRS 202.350.

(f) "Vehicle" has the meaning ascribed to "school bus" in NRS 484A.230.

Sec. 253. NRS 202.3673 is hereby amended to read as follows:

202.3673 1. Except as otherwise provided in subsections 2 and 3, a permittee may carry a concealed firearm while the permittee is on the premises of any public building.

2. A permittee shall not carry a concealed firearm while the permittee is on the premises of a public building that is located on the property of a public airport.

3. A permittee shall not carry a concealed firearm while the permittee is on the premises of:

(a) A public building that is located on the property of a public school or a child care facility or the property of *the University of Nevada or* the Nevada System of Higher Education, unless the permittee has obtained written permission to carry a concealed firearm while he or she is on the premises of the public building



1 pursuant to subparagraph (3) of paragraph (a) of subsection 3 of
2 NRS 202.265.

3 (b) A public building that has a metal detector at each public
4 entrance or a sign posted at each public entrance indicating that no
5 firearms are allowed in the building, unless the permittee is not
6 prohibited from carrying a concealed firearm while he or she is on
7 the premises of the public building pursuant to subsection 4.

8 4. The provisions of paragraph (b) of subsection 3 do not
9 prohibit:

10 (a) A permittee who is a judge from carrying a concealed
11 firearm in the courthouse or courtroom in which the judge presides
12 or from authorizing a permittee to carry a concealed firearm while in
13 the courtroom of the judge and while traveling to and from the
14 courtroom of the judge.

15 (b) A permittee who is a prosecuting attorney of an agency or
16 political subdivision of the United States or of this State from
17 carrying a concealed firearm while he or she is on the premises of a
18 public building.

19 (c) A permittee who is employed in the public building from
20 carrying a concealed firearm while he or she is on the premises of
21 the public building.

22 (d) A permittee from carrying a concealed firearm while he or
23 she is on the premises of the public building if the permittee has
24 received written permission from the person in control of the public
25 building to carry a concealed firearm while the permittee is on the
26 premises of the public building.

27 5. A person who violates subsection 2 or 3 is guilty of a
28 misdemeanor.

29 6. As used in this section:

30 (a) “Child care facility” has the meaning ascribed to it in
31 paragraph (a) of subsection 5 of NRS 202.265.

32 (b) “Public building” means any building or office space
33 occupied by:

34 (1) Any component of *the University of Nevada or* the
35 Nevada System of Higher Education and used for any purpose
36 related to the *University or* System; or

37 (2) The Federal Government, the State of Nevada or any
38 county, city, school district or other political subdivision of the State
39 of Nevada and used for any public purpose.

40 ➤ If only part of the building is occupied by an entity described in
41 this subsection, the term means only that portion of the building
42 which is so occupied.

43 **Sec. 254.** NRS 203.119 is hereby amended to read as follows:

44 203.119 1. A person shall not commit any act in a public
45 building or on the public grounds surrounding the building which



interferes with the peaceful conduct of activities normally carried on in the building or on the grounds.

2. Any person whose conduct is prohibited by subsection 1 who refuses to leave the building or grounds upon request by the proper official is guilty of a misdemeanor.

3. Any person who aids, counsels or abets another to commit an act prohibited by subsection 2 is guilty of a misdemeanor.

4. For the purpose of this section:

(a) “Proper official” means the person or persons designated by the administrative officer or board in charge of the building.

(b) “Public building” means any building owned by:

(1) Any component of *the University of Nevada or* the Nevada System of Higher Education and used for any purpose related to the *University or* System.

(2) The State of Nevada or any county, city, school district or other political subdivision of the State and used for any public purpose.

Sec. 255. NRS 205.462 is hereby amended to read as follows:

205.462 “Public body” means:

1. The State of Nevada, or any agency, instrumentality or corporation thereof;

2. The *University of Nevada or the* Nevada System of Higher Education;

3. Any municipality, county, school district or other type of district, or a city or town, incorporated or unincorporated; or

4. Any other body corporate and politic comprising a political subdivision of this State or acting on behalf thereof.

Sec. 256. NRS 209.391 is hereby amended to read as follows:

209.391 The Director shall:

1. Establish programs to provide medical, psychological, psychiatric and other appropriate forms of counseling to offenders under the jurisdiction of the Department in accordance with classification requirements.

2. Administer programs of general education, vocational training and other rehabilitation for offenders established by the Board.

3. Within the limits of legislative appropriations, purchase textbooks for use by offenders who are enrolled in courses of general education and vocational training offered by any branch or facility of *the University of Nevada or* the Nevada System of Higher Education. Any textbooks purchased pursuant to this section must remain the property of the State and must be reissued to offenders as appropriate.

4. Within the limits of legislative appropriations, establish programs of research, statistics and planning to:



(a) Determine and review periodically the effectiveness of the Department's programs of education, vocational training and other rehabilitation for offenders;

(b) Provide annually, and at other times when so requested, to the Board, the Governor and the Legislature information pertaining to:

(1) The number of offenders who are participating in and who complete those programs;

(2) The effectiveness of those programs in accomplishing their purposes; and

(3) The number of offenders who are returned to prison after their release; and

(c) Effect appropriate changes in the programs established by the Board.

Sec. 257. NRS 218A.970 is hereby amended to read as follows:

218A.970 1. Except as otherwise provided in subsection 2, a Legislator shall not:

(a) Become a named contractor or named subcontractor under any contract or order for supplies or any other kind of contract paid for in whole or in part by money appropriated by the Legislature of which that Legislator is a member for the State or any of its departments, or the Legislature or either House, or to be interested, directly or indirectly, as principal, in any kind of contract so paid.

(b) Be interested in any contract made by the Legislature of which that Legislator is a member, or be a purchaser or interested in any purchase or sale made by the Legislature of which that Legislator is a member.

2. A Legislator may:

(a) Sell or enter into a contract to sell, to the State or any of its departments, any item, commodity, service or capital improvement if:

(1) The sources of supply for the item, commodity, service or capital improvement are limited;

(2) The contracting process is controlled by rules of open competitive bidding;

(3) The Legislator has not taken part in developing the plans or specifications for the sale or contract; and

(4) The Legislator will not be personally involved in opening, considering or accepting any bids for the sale or contract.

(b) If the Legislator is not named in a contract, receive, as direct salary or wages, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the Legislator.



(c) Receive, for services as an instructor or teacher from any county school district, *the University of Nevada* or the Nevada System of Higher Education, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the Legislator.

3. Any contract made in violation of subsection 1 may be declared void at the instance of the State or of any other person interested in the contract except the Legislator prohibited by subsection 1 from making or being interested in the contract.

4. A person who violates any provision of this section is guilty of a gross misdemeanor and forfeits the person's office.

Sec. 258. NRS 218D.915 is hereby amended to read as follows:

218D.915 1. The following persons, offices or organizations, upon request, are entitled to receive free of charge in any 1 calendar year one copy of any bill, resolution, daily history, daily journal or index:

(a) Elected state officers.

(b) Offices of all state departments and agencies.

(c) County clerks, sheriffs, treasurers, assessors, recorders and auditors.

(d) Offices of other county officials.

(e) Municipal officers.

(f) Districts and other governmental agencies.

(g) Justices of the peace.

(h) The Division of State Library, Archives and Public Records of the Department of Administration.

(i) County and city libraries and libraries of *the University of Nevada and* the Nevada System of Higher Education.

(j) Accredited members of the press.

2. Upon approval of the committee of the Senate or the Assembly which has jurisdiction of issues relating to legislative functions, additional copies must be provided to these persons, offices or organizations without charge, except for the cost of any handling and postage as determined by the Director.

3. Township, school and municipal officials may have distributed, free of charge, the number of copies of any legislative measure or publication that is approved by the committee of the Senate or the Assembly which has jurisdiction of issues relating to legislative functions.

Sec. 259. NRS 218E.625 is hereby amended to read as follows:

218E.625 1. The Legislative Bureau of Educational Accountability and Program Evaluation is hereby created within the Fiscal Analysis Division. The Fiscal Analysts shall appoint to the



Legislative Bureau of Educational Accountability and Program Evaluation a Chief and such other personnel as the Fiscal Analysts determine are necessary for the Bureau to carry out its duties pursuant to this section.

2. The Bureau shall, as the Fiscal Analysts determine is necessary or at the request of the Joint Interim Standing Committee on Education:

(a) Collect and analyze data and issue written reports concerning:

(1) The effectiveness of the provisions of chapter 385A of NRS in improving the accountability of the schools of this State;

(2) The statewide program to reduce the ratio of pupils per class per licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

(3) The statewide program to educate persons with disabilities that is set forth in NRS 388.5223 to 388.5243, inclusive;

(4) The results of the examinations of the National Assessment of Educational Progress that are administered pursuant to NRS 390.830; and

(5) Any program or legislative measure, the purpose of which is to reform the system of education within this State.

(b) Conduct studies and analyses to evaluate the performance and progress of the system of public education within this State. Such studies and analyses may be conducted:

(1) As the Fiscal Analysts determine are necessary; or

(2) At the request of the Legislature.

➤ This paragraph does not prohibit the Bureau from contracting with a person or entity to conduct studies and analyses on behalf of the Bureau.

(c) On or before October 1 of each even-numbered year, submit a written report of its findings pursuant to paragraphs (a) and (b) to the Director for transmission to the next regular session. The Bureau shall, on or before October 1 of each odd-numbered year, submit a written report of its findings pursuant to paragraphs (a) and (b) to the Director for transmission to the Legislative Commission and to the Joint Interim Standing Committee on Education.

3. The Bureau may, pursuant to NRS 218F.620, require a school, a school district, *the University of Nevada*, the Nevada System of Higher Education or the Department of Education to submit to the Bureau books, papers, records and other information that the Chief of the Bureau determines are necessary to carry out the duties of the Bureau pursuant to this section. An entity whom the Bureau requests to produce records or other information shall provide the records or other information in any readily available format specified by the Bureau.



4. Except as otherwise provided in this subsection and NRS 239.0115, any information obtained by the Bureau pursuant to this section shall be deemed a work product that is confidential pursuant to NRS 218F.150. The Bureau may, at the discretion of the Chief and after submission to the Legislature or Legislative Commission, as appropriate, publish reports of its findings pursuant to paragraphs (a) and (b) of subsection 2.

5. This section does not prohibit the Department of Education or the State Board of Education from conducting analyses, submitting reports or otherwise reviewing educational programs in this State.

Sec. 260. NRS 223.600 is hereby amended to read as follows:

223.600 1. The Office of Science, Innovation and Technology is hereby established in the Office of the Governor.

2. The Governor shall appoint the Director of the Office of Science, Innovation and Technology. In making the appointment, the Governor:

(a) Shall give consideration to any recommendation which is submitted by the Chancellor of the *University of Nevada* ~~{System}~~ *or the Director of the Nevada Office of Higher Education* ~~{Administrative Services}~~.

(b) May assemble a panel of persons with appropriate experience in science and technology to make recommendations of qualified candidates for the position of Director.

3. The Director shall devote his or her entire time and attention to the business of his or her office and shall not engage in any other gainful employment or occupation.

4. The Director is in the unclassified service of the State and serves at the pleasure of the Governor.

Sec. 261. NRS 223.640 is hereby amended to read as follows:

223.640 1. The Advisory Council on Science, Technology, Engineering and Mathematics is hereby created within the Office of Science, Innovation and Technology. The Council consists of:

(a) The following ex officio members:

(1) The Superintendent of Public Instruction or his or her designee;

(2) The Chancellor of the *University of Nevada* ~~{System of Higher Education}~~ or his or her designee;

(3) *The Director of the Nevada Office of Higher Education Administrative Services or his or her designee;*

(4) The Executive Director of the Office of Economic Development or his or her designee; and

~~{(4)}~~ (5) The Director of the Department of Employment, Training and Rehabilitation or his or her designee;



(b) Three members appointed by the Governor pursuant to subsection 2;

(c) Two members appointed by the Majority Leader of the Senate pursuant to subsection 2;

(d) Two members appointed by the Speaker of the Assembly pursuant to subsection 2;

(e) Two members appointed by the Minority Leader of the Senate pursuant to subsection 2; and

(f) Two members appointed by the Minority Leader of the Assembly pursuant to subsection 2.

2. The Governor, the Majority Leader and the Minority Leader of the Senate and the Speaker and the Minority Leader of the Assembly shall coordinate their respective appointments of members to the Council:

(a) On a geographic basis to ensure statewide representation; and

(b) To ensure representation from:

(1) Classroom teachers or administrators in the field of science, technology, engineering or mathematics;

(2) Higher education in the field of science, technology, engineering or mathematics; and

(3) Businesses operating in the sectors relating to science, technology, engineering or mathematics.

3. Any vacancy occurring in the membership of the Council must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The Council shall meet at least six times each year at the call of the Chair. Two meetings of the Council must be held in person and any other meeting may be held by videoconference.

5. A majority of the members of the Council constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Council.

6. The Chair may appoint such subcommittees of the Council as the Chair determines necessary to carry out the duties of the Council.

7. The members of the Council serve without compensation, except that each member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the official business of the Council.

Sec. 262. NRS 223.650 is hereby amended to read as follows:

223.650 1. The Advisory Council on Science, Technology, Engineering and Mathematics created by NRS 223.640 shall:



(a) Develop a strategic plan for the development of educational resources in the fields of science, technology, engineering and mathematics to serve as a foundation for workforce development, college preparedness and economic development in this State;

(b) Develop a plan for identifying and awarding recognition to pupils in this State who demonstrate exemplary achievement in the fields of science, technology, engineering and mathematics;

(c) Develop a plan for identifying and awarding recognition to schools in this State that demonstrate exemplary performance in the fields of science, technology, engineering and mathematics;

(d) Conduct a survey of education programs and proposed programs relating to the fields of science, technology, engineering and mathematics in this State and in other states to identify recommendations for the implementation of such programs by public schools and institutions of higher education in this State and report the information gathered by the survey to the State Board of Education and ~~the Board of Regents of the University of Nevada;~~ *each higher education governing body;*

(e) Apply for grants on behalf of the State of Nevada relating to the development and expansion of education programs in the fields of science, technology, engineering and mathematics;

(f) Identify a nonprofit corporation to assist in the implementation of the plans developed pursuant to paragraphs (a), (b) and (c);

(g) Prepare a written report which includes, without limitation, recommendations based on the survey conducted pursuant to paragraph (d) and any other recommendations concerning the instruction and curriculum in courses of study in science, technology, engineering and mathematics in public schools in this State and, on or before January 31 of each odd-numbered year, submit a copy of the report to the State Board of Education, ~~the Board of Regents of the University of Nevada,~~ *each higher education governing body,* the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature;

(h) Conduct surveys for and make recommendations as deemed necessary to the Office of Economic Development and the Governor's Workforce Investment Board; and

(i) Appoint a subcommittee on computer science consisting of at least three members to provide advice and recommendations to:

(1) The State Board of Education, the Council to Establish Academic Standards for Public Schools, the boards of trustees of school districts and the governing bodies of charter schools and university schools for profoundly gifted pupils concerning the curriculum and materials for courses in computer science and



1 computer education and technology and professional development
2 for teachers who teach such courses; and

3 (2) The Commission on Professional Standards in Education
4 concerning the qualifications for licensing teachers and other
5 educational personnel who teach courses in computer science or
6 computer education and technology.

7 2. Each year the Council:

8 (a) Shall establish an event in southern Nevada and an event in
9 northern Nevada to recognize pupils in this State who demonstrate
10 exemplary achievement in the fields of science, technology,
11 engineering and mathematics.

12 (b) Shall establish a statewide event to recognize schools in this
13 State that have demonstrated exemplary performance in the fields of
14 science, technology, engineering and mathematics.

15 (c) May accept any gifts, grants or donations from any source
16 for use in carrying out the provisions of this subsection.

17 3. The Council or a subcommittee of the Council may seek the
18 input, advice and assistance of persons and organizations that have
19 knowledge, interest or expertise relevant to the duties of the
20 Council.

21 4. The State Board of Education and ~~the Board of Regents of~~
22 ~~the University of Nevada]~~ *each higher education governing body*
23 shall consider the plans developed by the Advisory Council on
24 Science, Technology, Engineering and Mathematics pursuant to
25 paragraphs (a), (b) and (c) of subsection 1 and the written report
26 submitted pursuant to paragraph (g) of subsection 1. The State
27 Board of Education shall adopt such regulations as the State Board
28 deems necessary to carry out the recommendations in the written
29 report.

30 5. *As used in this section, "higher education governing body"*
31 *has the meaning ascribed to it in NRS 396.005.*

32 **Sec. 263.** NRS 227.205 is hereby amended to read as follows:

33 227.205 1. The State Controller shall establish an electronic
34 payment system to pay the salaries and wages of state officers and
35 employees through the use of direct deposit.

36 2. Except as otherwise provided in subsection 3, the State
37 Controller shall pay the salaries and wages of state officers and
38 employees using the electronic payment system.

39 3. Upon application by a state officer or employee, the State
40 Controller may waive the participation of the state officer or
41 employee in the electronic payment system established pursuant to
42 subsection 1 if:

43 (a) The State Controller determines that participation in the
44 system by the state officer or employee would cause the state officer
45 or employee to suffer undue hardship or extreme inconvenience; or



(b) The state officer or employee does not have an account at a financial institution that accepts direct deposit.

4. The State Controller may adopt such regulations as he or she determines to be necessary or advisable to carry out the provisions of this section.

5. As used in this section:

(a) “Direct deposit” means payment of the salary and wages of a person by causing the net amount of such person’s salary and wages to be deposited in an account maintained in a financial institution in the name of the person.

(b) “State employee” means any person who performs public duties under the direction and control of a state officer for compensation paid by or through the State except any employee of:

(1) The *University of Nevada or the* Nevada System of Higher Education; or

(2) The Legislative Department of the State Government.

(c) “State officer” means a person elected or appointed to a position with the State Government, except *the University of Nevada*, the Nevada System of Higher Education or the Legislative Department of State Government, which involves the exercise of a state power, trust or duty, including:

(1) Actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation of state policy;

(2) The expenditure of state money; and

(3) The enforcement of laws and regulations of the State.

Sec. 264. NRS 231.033 is hereby amended to read as follows:

231.033 1. There is hereby created the Board of Economic Development, consisting of:

(a) The following voting members:

(1) The Governor;

(2) The Lieutenant Governor;

(3) The Secretary of State; and

(4) Six members who must be selected from the private sector and appointed as follows:

(I) Three members appointed by the Governor;

(II) One member appointed by the Speaker of the Assembly;

(III) One member appointed by the Majority Leader of the Senate; and

(IV) One member appointed by the Minority Leader of the Assembly or the Minority Leader of the Senate. The Minority Leader of the Senate shall appoint the member for the initial term, the Minority Leader of the Assembly shall appoint the member for the next succeeding term, and thereafter, the authority to appoint the



1 member for each subsequent term alternates between the Minority
2 Leader of the Assembly and the Minority Leader of the Senate.

3 (b) The following nonvoting members:

4 (1) The Chancellor of the *University of Nevada* ~~[System of~~
5 ~~Higher Education]~~ or his or her designee;

6 (2) *The Director of the Nevada Office of Higher Education*
7 *Administrative Services or his or her designee;*

8 (3) The Director of the Department of Business and Industry;
9 and

10 ~~[(3)]~~ (4) The Director of the Department of Employment,
11 Training and Rehabilitation.

12 2. In appointing the members of the Board described in
13 subsection 1, the appointing authorities shall coordinate the
14 appointments when practicable so that the members of the Board
15 represent the diversity of this State, including, without limitation,
16 different strategically important industries, different geographic
17 regions of this State and different professions.

18 3. The Governor shall serve as the Chair of the Board.

19 4. Except as otherwise provided in this subsection, the
20 members of the Board appointed pursuant to subparagraph (4) of
21 paragraph (a) of subsection 1 are appointed for terms of 4 years. The
22 initial members of the Board shall by lot select three of the initial
23 members of the Board appointed pursuant to subparagraph (4) of
24 paragraph (a) of subsection 1 to serve an initial term of 2 years.

25 5. The Governor, the Lieutenant Governor or the Secretary of
26 State may designate a person to serve as a member of the Board for
27 the Governor, Lieutenant Governor or Secretary of State,
28 respectively. Any person designated to serve pursuant to this
29 subsection shall serve for the term of the officer appointing him or
30 her and serves at the pleasure of that officer. If the Governor
31 designates a person to serve on his or her behalf, that person shall
32 serve as the Chair of the Board. Vacancies in the appointed
33 positions on the Board must be filled by the appointing authority for
34 the unexpired term.

35 6. The Executive Director shall serve as the nonvoting
36 Secretary of the Board.

37 7. A majority of the voting members of the Board constitutes a
38 quorum, and the affirmative vote of a majority of the voting
39 members of the Board is required to exercise any power conferred
40 on the Board.

41 8. The Board shall meet at least once each quarter but may
42 meet more often at the call of the Chair or a majority of the voting
43 members of the Board.

44 9. The members of the Board serve without compensation but
45 are entitled to receive the per diem allowance and travel expenses



provided for state officers and employees generally while engaged in the official business of the Board.

Sec. 265. NRS 231.055 is hereby amended to read as follows:

231.055 Under the direction of the Executive Director, the Office:

1. Shall provide administrative and technical support to the Board.

2. Shall support the efforts of the Board, the regional development authorities designated by the Executive Director pursuant to subsection 4 of NRS 231.053 and the private sector to encourage the creation and expansion of businesses in Nevada and the relocation of businesses to Nevada.

3. Shall coordinate and oversee all economic development programs in this State to ensure that such programs are consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053, including, without limitation:

(a) Coordinating the economic development activities of agencies of this State, local governments in this State and local and regional organizations for economic development to avoid duplication of effort or conflicting efforts;

(b) Working with local, state and federal authorities to streamline the process for obtaining abatements, financial incentives, grants, loans and all necessary permits, licenses and registrations for the creation or expansion of businesses in Nevada or the relocation of businesses to Nevada; and

(c) Reviewing, analyzing and making recommendations for the approval or disapproval of applications for abatements, financial incentives, development resources, and grants and loans of money provided by the Office.

4. Shall, upon request, assist an electric utility with the marketing of vacant or decommissioned assets for sale and redevelopment pursuant to NRS 704.734.

5. Shall, in consultation with *the University of Nevada*, the Nevada System of Higher Education, the Department of Employment, Training and Rehabilitation, the Department of Education and any other person or entity which the Executive Director determines is appropriate, develop and implement one or more programs to provide customized workforce development services to persons that create and expand businesses in Nevada and relocate businesses to Nevada.

6. Shall prepare a list of authorized providers that are eligible to provide programs of workforce recruitment, assessment and training pursuant to NRS 231.1467.

7. May:



(a) Participate in any federal programs for economic development that are consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053; and

(b) When practicable and authorized by federal law, act as the agency of this State to administer such federal programs.

Sec. 266. NRS 231.1415 is hereby amended to read as follows:

231.1415 “Authorized provider” means any institution within *the University of Nevada or* the Nevada System of Higher Education, a state or local agency, a school district, a charter school, a nonprofit organization, a labor organization or a private postsecondary educational institution that provides a program of workforce development approved by the Office.

Sec. 267. NRS 231.1475 is hereby amended to read as follows:

231.1475 An institution within *the University of Nevada or* the Nevada System of Higher Education or a private postsecondary educational institution in this State that is an authorized provider shall allow a student, including, without limitation, a student who is enrolled in a dual credit course at a public high school, who successfully completes a program of workforce development that is provided by the institution to apply the credit received for the completion of the program toward the total number of credits required for a related credential, certificate or degree from that institution.

Sec. 268. NRS 231.1591 is hereby amended to read as follows:

231.1591 As used in NRS 231.1591 to 231.1597, inclusive, unless the context otherwise requires:

1. “Chancellor” means the Chancellor of the *University of Nevada* ~~[System of Higher Education]~~ or his or her designee.

2. “Research universities” means the University of Nevada, Las Vegas, and the University of Nevada, Reno.

Sec. 269. NRS 232.0081 is hereby amended to read as follows:

232.0081 1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include



1 recommendations to expand language services if needed to improve
2 access to the services provided by the agency. The plan must:

3 (a) Outline the compliance of the agency and any contractors,
4 grantees, assignees, transferees or successors of the agency with
5 existing federal and state laws and regulations and any requirements
6 associated with funding received by the agency concerning the
7 availability of language services and accessibility of the services
8 provided by the agency or any contractors, grantees, assignees,
9 transferees or successors to persons with limited English
10 proficiency;

11 (b) List the relevant demographics of persons served by or
12 eligible to receive services from the agency, including, without
13 limitation:

14 (1) The types of services received by such persons or for
15 which such persons are eligible;

16 (2) The preferred language and literacy level of such persons;

17 (3) The ability of such persons to access the services of the
18 agency electronically;

19 (4) The number and percentage of such persons who are
20 indigenous; and

21 (5) The number and percentage of such persons who are
22 refugees;

23 (c) Provide an inventory of language services currently
24 provided, including, without limitation:

25 (1) Procedures for designating certain information and
26 documents as vital and providing such information and documents
27 to persons served by the agency in the preferred language of such
28 persons, in aggregate and disaggregated by language and type of
29 service to which the information and documents relate;

30 (2) Oral language services offered by language and type;

31 (3) A comparison of the number of employees of the agency
32 who regularly have contact with the public to the number of such
33 employees who are fluent in more than one language, in aggregate
34 and disaggregated by language;

35 (4) A description of any position at the agency designated for
36 a dual-role interpreter;

37 (5) Procedures and resources used by the agency for outreach
38 to persons with limited English proficiency who are served by the
39 agency or eligible to receive services from the agency, including,
40 without limitation, procedures for building relationships with
41 community-based organizations that serve such persons; and

42 (6) Any resources made available to employees of the agency
43 related to cultural competency;

44 (d) Provide an inventory of the training and resources provided
45 to employees of the agency who serve persons with limited English



proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons;

(e) Review the ability of the agency to make language services available during the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020; and

(f) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce



development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (f) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

5. As used in this section:

(a) "Agency of the Executive Department" means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include *the University of Nevada* or the Nevada System of Higher Education.

(b) "Dual-role interpreter" means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) "Language services" means oral language services and translation services.

(d) "Oral language services" means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) "Person with limited English proficiency" means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.



(f) "Translation services" means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

Sec. 270. NRS 232.920 is hereby amended to read as follows:
232.920 The Director:

1. Shall:

(a) Organize the Department into divisions and other operating units as needed to achieve the purposes of the Department;

(b) Upon request, provide the Director of the Department of Administration with a list of organizations and agencies in this State whose primary purpose is the training and employment of persons with disabilities;

(c) Except as otherwise provided by a specific statute, direct the divisions to share information in their records with agencies of local governments which are responsible for the collection of debts or obligations if the confidentiality of the information is otherwise maintained under the terms and conditions required by law;

(d) Provide the employment and wage information to ~~the Board of Regents of the University of Nevada~~ **each higher education governing body, as defined in NRS 396.005**, for purposes of the reporting required of the ~~Board of Regents~~ **governing body** by subsection 4 of NRS 396.531; and

(e) Provide to the Director of the Legislative Counsel Bureau a written report each quarter containing the rate of unemployment of residents of this State regarding whom the Department has information, organized by county and, for each county, the rate of unemployment disaggregated by demographic information, including, without limitation, age, race and gender. The Director of the Department shall:

(1) Post on the Internet website of the Department the report required by this paragraph;

(2) Provide the report to the Governor's Workforce Investment Board and all applicable agencies for the purposes of subsection 5 of NRS 232.935; and

(3) Post on the Internet website of the Department the written report provided by the Governor's Workforce Investment Board pursuant to subsection 5 of NRS 232.935.

2. Is responsible for the administration, through the divisions of the Department, of the provisions of NRS 394.383 to 394.560, inclusive, 426.010 to 426.715, inclusive, 426.740, 426.790 and 426.800, and chapters 612 and 615 of NRS, and all other provisions of law relating to the functions of the Department and its divisions, but is not responsible for the professional line activities of the



divisions or other operating units except as otherwise provided by specific statute.

3. May employ, within the limits of legislative appropriations, such staff as is necessary for the performance of the duties of the Department.

Sec. 271. NRS 232.980 is hereby amended to read as follows:

232.980 The following public agencies shall submit educational and workforce data for inclusion in the statewide longitudinal data system maintained pursuant to paragraph (e) of subsection 4 of NRS 232.975:

1. The Department of Employment, Training and Rehabilitation.

2. The Department of Education.

3. The *University of Nevada and the* Nevada System of Higher Education.

4. The Department of Motor Vehicles.

5. Any other public agency which is directed by the Governor to submit such data.

Sec. 272. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) Except as otherwise provided in NRS 209.221 and 209.2473, the Department of Corrections.

(c) The *University of Nevada and the* Nevada System of Higher Education.

(d) The Office of the Military.

(e) The Nevada Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140 and 463.765, the Nevada Gaming Commission.

(g) Except as otherwise provided in NRS 425.620, the Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) Except as otherwise provided in NRS 422.390, the Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(j) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(k) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and



1 adjusting the schedule of fees and charges for accident benefits
2 pursuant to subsection 2 of NRS 616C.260.

3 (l) The Board to Review Claims in adopting resolutions to carry
4 out its duties pursuant to NRS 445C.310.

5 (m) The Silver State Health Insurance Exchange.

6 (n) The Cannabis Compliance Board.

7 2. Except as otherwise provided in subsection 5 and NRS
8 391.323, the Department of Education, the Board of the Public
9 Employees' Benefits Program and the Commission on Professional
10 Standards in Education are subject to the provisions of this chapter
11 for the purpose of adopting regulations but not with respect to any
12 contested case.

13 3. The special provisions of:

14 (a) Chapter 612 of NRS for the adoption of an emergency
15 regulation or the distribution of regulations by and the judicial
16 review of decisions of the Employment Security Division of the
17 Department of Employment, Training and Rehabilitation;

18 (b) Chapters 616A to 617, inclusive, of NRS for the
19 determination of contested claims;

20 (c) Chapter 91 of NRS for the judicial review of decisions of the
21 Administrator of the Securities Division of the Office of the
22 Secretary of State; and

23 (d) NRS 90.800 for the use of summary orders in contested
24 cases,

25 ➤ prevail over the general provisions of this chapter.

26 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and
27 233B.126 do not apply to the Department of Health and Human
28 Services in the adjudication of contested cases involving the
29 issuance of letters of approval for health facilities and agencies.

30 5. The provisions of this chapter do not apply to:

31 (a) Any order for immediate action, including, but not limited
32 to, quarantine and the treatment or cleansing of infected or infested
33 animals, objects or premises, made under the authority of the State
34 Board of Agriculture, the State Board of Health, or any other agency
35 of this State in the discharge of a responsibility for the preservation
36 of human or animal health or for insect or pest control;

37 (b) An extraordinary regulation of the State Board of Pharmacy
38 adopted pursuant to NRS 453.2184;

39 (c) A regulation adopted by the State Board of Education
40 pursuant to NRS 388.255 or 394.1694;

41 (d) The judicial review of decisions of the Public Utilities
42 Commission of Nevada;

43 (e) The adoption, amendment or repeal of policies by the
44 Rehabilitation Division of the Department of Employment, Training
45 and Rehabilitation pursuant to NRS 426.561 or 615.178;



(f) The adoption or amendment of a rule or regulation to be included in the State Plan for Services for Victims of Crime by the Department of Health and Human Services pursuant to NRS 217.130;

(g) The adoption, amendment or repeal of rules governing the conduct of contests and exhibitions of unarmed combat by the Nevada Athletic Commission pursuant to NRS 467.075;

(h) The adoption, amendment or repeal of regulations by the Director of the Department of Health and Human Services pursuant to NRS 447.335 to 447.350, inclusive;

(i) The adoption, amendment or repeal of standards of content and performance for courses of study in public schools by the Council to Establish Academic Standards for Public Schools and the State Board of Education pursuant to NRS 389.520;

(j) The adoption, amendment or repeal of the statewide plan to allocate money from the Fund for a Resilient Nevada created by NRS 433.732 established by the Department of Health and Human Services pursuant to paragraph (b) of subsection 1 of NRS 433.734; or

(k) The adoption or amendment of a data request by the Commissioner of Insurance pursuant to NRS 687B.404.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

Sec. 273. NRS 236.015 is hereby amended to read as follows:

236.015 1. The following days are declared to be legal holidays for state, county and city governmental offices:

January 1 (New Year's Day)

Martin Luther King, Jr.'s birthday is on January 15 but is to be observed on the third Monday in January

Washington's birthday is on February 22 but is to be observed on the third Monday in February

Last Monday in May (Memorial Day)

July 4 (Independence Day)

First Monday in September (Labor Day)

Nevada Day is October 31 but is to be observed on the last Friday in October

November 11 (Veterans Day)

Fourth Thursday in November (Thanksgiving Day)

Friday following the fourth Thursday in November (Family Day)

December 25 (Christmas Day)

Any day that may be appointed by the President of the United States for public fast, thanksgiving or as a legal holiday



except for any Presidential appointment of the fourth Monday in October as Veterans Day.

2. Except as otherwise provided by NRS 293.560 and 293C.527, all state, county and city offices, courts, public schools, *the University of Nevada* and the Nevada System of Higher Education must close on the legal holidays enumerated in subsection 1 unless in the case of appointed holidays all or a part thereof are specifically exempted.

3. If January 1, July 4, November 11 or December 25 falls upon a:

(a) Sunday, the Monday following must be observed as a legal holiday.

(b) Saturday, the Friday preceding must be observed as a legal holiday.

Sec. 274. NRS 237.300 is hereby amended to read as follows:

237.300 1. Notwithstanding any other provision of law, not later than September 1 of each year, each county which possesses or maintains a digital parcel base map for the county shall provide the digital parcel base map for the county, as of June 30 of that year, to the State Demographer at no charge. The State Demographer may not require a county to provide a digital parcel base map in a particular electronic format or to use any specific software to provide the digital parcel base map. The State Demographer shall keep confidential the information provided to him or her pursuant to this subsection, except that the State Demographer shall provide such information at no charge to a state agency which satisfies the requirements of this section.

2. A state agency engaged in activities related to economic development or population estimate research may request the digital parcel base maps for each county that possesses or maintains a digital parcel base map by submitting a written request to the State Demographer. The written request must include, without limitation:

(a) The name and address of the state agency;

(b) A statement of the purpose for which the state agency is seeking the digital parcel base maps; and

(c) A summary of the research or statistical reports which will be produced from the digital parcel base maps.

3. Except as otherwise provided in subsection 4, if the State Demographer finds that a written request complies with subsection 2, the State Demographer shall provide to the state agency at no charge the digital parcel base maps provided to the State Demographer pursuant to subsection 1.

4. The State Demographer may refuse a request submitted by a state agency pursuant to subsection 2 if the State Demographer has



provided the requested information to the state agency during the calendar year in which the request is made.

5. A state agency receiving a digital parcel base map pursuant to this section shall provide to the county that provided the digital parcel base map and the Office of Economic Development, at no charge, a summary of the research produced from that information.

6. A state agency receiving a digital parcel base map pursuant to this section shall keep the digital parcel base map confidential, and, except as otherwise provided in subsection 5, the State Demographer, or any employee or other agent of a state agency receiving a digital parcel base map for a county pursuant to this section, shall not provide the digital parcel base map to any person or governmental agency.

7. As used in this section:

(a) “Digital parcel base map” means a map in an electronic format that contains the boundaries of the parcels in the county.

(b) “State agency” means:

(1) The State of Nevada, or any agency, instrumentality or corporation thereof; and

(2) Faculty of *University of Nevada* or the Nevada System of Higher Education or any branch or facility thereof.

(c) “State Demographer” means the demographer employed pursuant to NRS 360.283.

Sec. 275. NRS 239.005 is hereby amended to read as follows:

239.005 As used in this chapter, unless the context otherwise requires:

1. “Actual cost” means the direct cost incurred by a governmental entity in the provision of a public record, including, without limitation, the cost of ink, toner, paper, media and postage. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record.

2. “Agency of the Executive Department” means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include *the University of Nevada* or the Nevada System of Higher Education.

3. “Committee” means the Committee to Approve Schedules for the Retention and Disposition of Official State Records.

4. “Division” means the Division of State Library, Archives and Public Records of the Department of Administration.

5. “Governmental entity” means:

(a) An elected or appointed officer of this State or of a political subdivision of this State;



(b) An institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of the Executive Department, or of a political subdivision of this State;

(c) A university foundation, as defined in NRS 396.405;

(d) An educational foundation, as defined in NRS 388.750, to the extent that the foundation is dedicated to the assistance of public schools; or

(e) A library foundation, as defined in NRS 379.0056, to the extent that the foundation is dedicated to the assistance of a public library.

6. “Official state record” includes, without limitation:

(a) Papers, unpublished books, maps and photographs;

(b) Information stored on magnetic tape or computer, laser or optical disc;

(c) Materials that are capable of being read by a machine, including, without limitation, microforms and audio and visual materials; and

(d) Materials that are made or received by a state agency and preserved by that agency or its successor as evidence of the organization, operation, policy or any other activity of that agency or because of the information contained in the material.

7. “Privatization contract” means a contract executed by or on behalf of a governmental entity which authorizes a private entity to provide public services that are:

(a) Substantially similar to the services provided by the public employees of the governmental entity; and

(b) In lieu of the services otherwise authorized or required to be provided by the governmental entity.

Sec. 276. NRS 241.017 is hereby amended to read as follows:

241.017 ~~[The Board of Regents of the University of Nevada]~~

1. Each higher education governing body shall establish for the student governments within *the University of Nevada and* the Nevada System of Higher Education requirements equivalent to those of this chapter and shall provide for their enforcement.

2. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 277. NRS 241.031 is hereby amended to read as follows:

241.031 1. Except as otherwise provided in subsection 2, a public body shall not hold a closed meeting to consider the character, alleged misconduct or professional competence of:

(a) An elected member of a public body; or

(b) A person who is an appointed public officer or who serves at the pleasure of a public body as a chief executive or administrative officer or in a comparable position, including, without limitation, a



1 president of a university, state college or community college within
2 *the University of Nevada or* the Nevada System of Higher
3 Education, a superintendent of a county school district, a county
4 manager and a city manager.

5 2. The prohibition set forth in subsection 1 does not apply if
6 the consideration of the character, alleged misconduct or
7 professional competence of the person does not pertain to his or her
8 role as an elected member of a public body or an appointed public
9 officer or other officer described in paragraph (b) of subsection 1, as
10 applicable.

11 **Sec. 278.** NRS 242.111 is hereby amended to read as follows:

12 242.111 The Administrator shall adopt regulations necessary
13 for the administration of this chapter, including:

14 1. The policy for the information systems of the Executive
15 Branch of Government, excluding *the University of Nevada*, the
16 Nevada System of Higher Education and the Nevada Criminal
17 Justice Information System, as that policy relates, but is not limited,
18 to such items as standards for systems and programming and criteria
19 for selection, location and use of information systems to meet the
20 requirements of state agencies and officers at the least cost to the
21 State;

22 2. The procedures of the Division in providing information
23 services, which may include provision for the performance, by an
24 agency which uses the services or equipment of the Division, of
25 preliminary procedures, such as data recording and verification,
26 within the agency;

27 3. The effective administration of the Division, including,
28 without limitation, security to prevent unauthorized access to
29 information systems and plans for the recovery of systems and
30 applications after they have been disrupted;

31 4. The development of standards to ensure the security of the
32 information systems of the Executive Branch of Government; and

33 5. Specifications and standards for the employment of all
34 personnel of the Division.

35 **Sec. 279.** NRS 242.115 is hereby amended to read as follows:

36 242.115 1. Except as otherwise provided in subsection 2, the
37 Administrator shall:

38 (a) Develop policies and standards for the information systems
39 of the Executive Branch of Government;

40 (b) Coordinate the development of a biennial state plan for the
41 information systems of the Executive Branch of Government;

42 (c) Develop guidelines to assist state agencies in the
43 development of short- and long-term plans for their information
44 systems; and



(d) Develop guidelines and procedures for the procurement and maintenance of the information systems of the Executive Branch of Government.

2. This section does not apply to *the University of Nevada*, the Nevada System of Higher Education or the Nevada Criminal Justice Information System used to provide support for the operations of law enforcement agencies in this State.

Sec. 280. NRS 242.131 is hereby amended to read as follows:

242.131 1. The Division shall provide state agencies and elected state officers with all their required design of information systems. All agencies and officers must use those services and equipment, except as otherwise provided in subsection 2.

2. The following agencies may negotiate with the Division for its services or the use of its equipment, subject to the provisions of this chapter, and the Division shall provide those services and the use of that equipment as may be mutually agreed:

- (a) The Court Administrator;
- (b) The Department of Motor Vehicles;
- (c) The Department of Public Safety;
- (d) The Department of Transportation;
- (e) The Employment Security Division of the Department of Employment, Training and Rehabilitation;
- (f) The Department of Wildlife;
- (g) The Housing Division of the Department of Business and Industry;
- (h) The Legislative Counsel Bureau;
- (i) The State Controller;
- (j) The Nevada Gaming Control Board and Nevada Gaming Commission; and
- (k) The *University of Nevada and the* Nevada System of Higher Education.

3. Any state agency or elected state officer who uses the services of the Division and desires to withdraw substantially from that use must apply to the Administrator for approval. The application must set forth justification for the withdrawal. If the Administrator denies the application, the agency or officer must:

(a) If the Legislature is in regular or special session, obtain the approval of the Legislature by concurrent resolution.

(b) If the Legislature is not in regular or special session, obtain the approval of the Interim Finance Committee. The Administrator shall, within 45 days after receipt of the application, forward the application together with his or her recommendation for approval or denial to the Interim Finance Committee. The Interim Finance Committee has 45 days after the application and recommendation are submitted to its Secretary within which to consider the



1 application. Any application which is not considered by the
2 Committee within the 45-day period shall be deemed approved.

3 4. If the demand for services or use of equipment exceeds the
4 capability of the Division to provide them, the Division may
5 contract with other agencies or independent contractors to furnish
6 the required services or use of equipment and is responsible for the
7 administration of the contracts.

8 **Sec. 281.** NRS 244.3675 is hereby amended to read as
9 follows:

10 244.3675 Subject to the limitations set forth in NRS 244.368,
11 278.02315, 278.580, 278.582, 278.584, 278.5846, 278.586, 444.340
12 to 444.430, inclusive, and 477.030, the boards of county
13 commissioners within their respective counties may:

14 1. Regulate all matters relating to the construction,
15 maintenance and safety of buildings, structures and property within
16 the county.

17 2. Adopt any building, electrical, housing, plumbing or safety
18 code necessary to carry out the provisions of this section and
19 establish such fees as may be necessary. Except as otherwise
20 provided in NRS 278.580, these fees do not apply to the State of
21 Nevada, *the University of Nevada* or the Nevada System of Higher
22 Education.

23 **Sec. 282.** NRS 250.087 is hereby amended to read as follows:

24 250.087 1. Notwithstanding any other provision of law, not
25 later than September 1 of each year, a county assessor shall provide
26 to the State Demographer at no charge the parcel dataset of the
27 county assessor as of June 30 of that year. The State Demographer
28 may not require a county assessor to provide information pursuant
29 to this subsection in a particular digital or electronic format or to use
30 any specific software to provide the information. The State
31 Demographer shall keep confidential the information provided to
32 him or her pursuant to this subsection, except that the State
33 Demographer shall provide such information at no charge to a state
34 agency which satisfies the requirements of this section.

35 2. A state agency engaged in activities related to economic
36 development or population estimate research may request the parcel
37 datasets provided to the State Demographer pursuant to subsection 1
38 by submitting a written request to the State Demographer. The
39 written request must include, without limitation:

40 (a) The name and address of the state agency;

41 (b) A statement of the purpose for which the state agency is
42 seeking the parcel datasets; and

43 (c) A summary of the research or statistical reports which will
44 be produced from the parcel datasets.



3. Except as otherwise provided in subsection 4, if the State Demographer finds that a written request complies with subsection 2, the State Demographer shall provide to the state agency at no charge the parcel datasets provided to the State Demographer pursuant to subsection 1.

4. The State Demographer may refuse a request submitted by a state agency pursuant to subsection 2 if the State Demographer has provided the requested information to the state agency during the calendar year in which the request is made.

5. A state agency receiving parcel datasets pursuant to this section shall provide to the county that provided the parcel datasets and the Office of Economic Development, at no charge, a summary of the research produced from that information.

6. The State Demographer or any employee or other agent of a state agency receiving parcel datasets pursuant to this section shall not knowingly:

(a) Publish or otherwise disclose any information made confidential pursuant to NRS 250.100 to 250.230, inclusive; or

(b) Use any information made confidential pursuant to NRS 250.100 to 250.230, inclusive, to contact any person.

7. A person who violates subsection 6 is guilty of a misdemeanor and, in addition, the court may order a person who violates subsection 6 to pay a civil penalty in an amount not to exceed \$2,500 for each act.

8. A state agency receiving a parcel dataset pursuant to this section shall keep the parcel dataset confidential, and, except as otherwise provided in subsection 5, the State Demographer, or any employee or other agent of a state agency receiving a parcel dataset pursuant to this section, shall not provide the parcel dataset to any person or governmental agency.

9. As used in this section:

(a) "Parcel dataset" means data or files maintained in digital or electronic format by a county assessor in the course of his or her duties that contain information on each parcel in the county, including, without limitation, information concerning ownership, parcel number, address, land designations and zoning, improvements and, if applicable, the date and price of sale.

(b) "State agency" means:

(1) The State of Nevada, or any agency, instrumentality or corporation thereof; and

(2) Faculty of *the University of Nevada or* the Nevada System of Higher Education or any branch or facility thereof.

(c) "State Demographer" means the demographer employed pursuant to NRS 360.283.



Sec. 283. NRS 268.413 is hereby amended to read as follows:

268.413 Subject to the limitations contained in NRS 244.368, 278.02315, 278.580, 278.582, 278.584, 278.5846, 278.586, 444.340 to 444.430, inclusive, and 477.030, the city council or other governing body of an incorporated city may:

1. Regulate all matters relating to the construction, maintenance and safety of buildings, structures and property within the city.

2. Adopt any building, electrical, plumbing or safety code necessary to carry out the provisions of this section and establish such fees as may be necessary. Except as otherwise provided in NRS 278.580, those fees do not apply to the State of Nevada, *the University of Nevada* or the Nevada System of Higher Education.

Sec. 284. NRS 277.067 is hereby amended to read as follows:

277.067 1. Except as otherwise provided in subsection 2, any two or more political subdivisions of this State, agencies of the State, *the University of Nevada* or the Nevada System of Higher Education may enter into a cooperative agreement for the purchase of insurance or the establishment of a self-insurance reserve or fund for coverage under a plan of:

(a) Casualty insurance, as that term is defined in NRS 681A.020;

(b) Marine and transportation insurance, as that term is defined in NRS 681A.050;

(c) Property insurance, as that term is defined in NRS 681A.060;

(d) Surety insurance, as that term is defined in NRS 681A.070;

(e) Health insurance, as that term is defined in NRS 681A.030;

or

(f) Insurance for any combination of these kinds of protection.

2. Any political subdivision of the State, any agency of the State, *the University of Nevada* or the Nevada System of Higher Education which participates in the Public Employees' Benefits Program shall obtain the approval of the Board of the Public Employees' Benefits Program before it enters into a cooperative agreement for the purchase of health insurance pursuant to paragraph (e) of subsection 1.

3. Any such agreement may obligate the respective parties to pledge revenues or contribute money to secure the obligations or pay the expenses of the cooperative undertaking and may provide for the establishment of a separate entity to administer the undertaking.

Sec. 285. NRS 277.069 is hereby amended to read as follows:

277.069 1. Except as otherwise provided in subsections 2 and 3, any party to an agreement entered into pursuant to NRS 277.067, or any entity established by such an agreement, may:



(a) Obligate itself to contribute money for the purchase of insurance, the establishment of a reserve or fund for coverage, the payment of any debt, or for any other purpose related to the undertaking;

(b) Borrow money for any such purpose;

(c) Issue notes and bonds evidencing the borrowing; and

(d) Secure payment of the notes and bonds by a pledge of revenues.

2. Except as otherwise provided in subsection 3, any obligation to contribute money which is undertaken pursuant to a cooperative agreement:

(a) Is binding notwithstanding that it is intended to remain in force beyond the current budget year or the terms of office of the present members of the governing body of the obligor.

(b) If undertaken to pay any debt, does not remain in force more than 30 years after the date of the borrowing.

(c) If undertaken to pay claims and administrative expenses, does not remain in force more than 10 years, except with respect to claims arising from occurrences during the period it is in force.

3. Except for a pledge of revenues or obligation to contribute money which pledges revenues or commits money derived from a source other than taxation, any pledge or obligation which is made or undertaken pursuant to a cooperative agreement by an agency of the State, *the University of Nevada* or the Nevada System of Higher Education does not remain in force after the end of the biennium in which it is made or undertaken.

Sec. 286. NRS 277.0695 is hereby amended to read as follows:

277.0695 1. NRS 277.067 and 277.069 provide full authority for the exercise of the powers granted in those sections. No other act or law relating to the authorization or issuance of securities that provides for an election applies to any proceedings taken or acts done pursuant to those sections.

2. An issuance of bonds or notes, pledge of revenues, or obligation to contribute money which is made or undertaken pursuant to NRS 277.067 and 277.069 shall be deemed not to create indebtedness for the purposes of any limitation on indebtedness contained in any general or special law or charter.

3. Except as otherwise provided in this section and in NRS 277.067 and 277.069, the issuance of any bonds or notes pursuant to NRS 277.069 must be made in accordance with:

(a) The Local Government Securities Law, if the bonds or notes are issued by or on behalf of a municipality as that term is defined in NRS 350.538;



(b) The State Securities Law, if the bonds or notes are issued by or on behalf of an agency of the State; or

(c) The University Securities Law, if the bonds or notes are issued by or on behalf of *the University of Nevada* or the Nevada System of Higher Education.

Sec. 287. NRS 278.580 is hereby amended to read as follows:

278.580 1. Subject to the limitation set forth in NRS 244.368 and 278.586, the governing body of any city or county may adopt a building code, specifying the design, soundness and materials of structures, and may adopt rules, ordinances and regulations for the enforcement of the building code.

2. The governing body may also fix a reasonable schedule of fees for the issuance of building permits. A schedule of fees so fixed does not apply to the State of Nevada , *the University of Nevada* or the Nevada System of Higher Education, except that such entities may enter into a contract with the governing body to pay such fees for the issuance of building permits, the review of plans and the inspection of construction. Except as it may agree to in such a contract, a governing body is not required to provide for the review of plans or the inspection of construction with respect to a structure of the State of Nevada , *the University of Nevada* or the Nevada System of Higher Education.

3. Notwithstanding any other provision of law, the State and its political subdivisions shall comply with all zoning regulations adopted pursuant to this chapter, except for the expansion of any activity existing on April 23, 1971.

4. A governing body shall amend its building codes and, if necessary, its zoning ordinances and regulations to permit the use of:

(a) Straw or other materials and technologies which conserve scarce natural resources or resources that are renewable in the construction of a structure; and

(b) Systems which use solar or wind energy to reduce the costs of energy for a structure if such systems and structures are otherwise in compliance with applicable building codes and zoning ordinances, including those relating to the design, location and soundness of such systems and structures,

↳ to the extent the local climate allows for the use of such materials, technologies, resources and systems.

5. The amendments required by subsection 4 may address, without limitation:

(a) The inclusion of characteristics of land and structures that are most appropriate for the construction and use of systems using solar and wind energy.



(b) The recognition of any impediments to the development of systems using solar and wind energy.

(c) The preparation of design standards for the construction, conversion or rehabilitation of new and existing systems using solar and wind energy.

6. A governing body shall amend its building codes to include:

(a) The seismic provisions of the International Building Code published by the International Code Council; and

(b) Standards for the investigation of hazards relating to seismic activity, including, without limitation, potential surface ruptures and liquefaction.

Sec. 288. NRS 278C.140 is hereby amended to read as follows:

278C.140 “Undertaking” means any enterprise to acquire, improve or equip, or any combination thereof:

1. In the case of counties:

(a) A drainage and flood control project, as defined in NRS 244A.027;

(b) An overpass project, as defined in NRS 244A.037;

(c) A sewerage project, as defined in NRS 244A.0505;

(d) A street project, as defined in NRS 244A.053;

(e) An underpass project, as defined in NRS 244A.055; or

(f) A water project, as defined in NRS 244A.056.

2. In the case of cities:

(a) A drainage project or flood control project, as defined in NRS 268.682;

(b) An overpass project, as defined in NRS 268.700;

(c) A sewerage project, as defined in NRS 268.714;

(d) A street project, as defined in NRS 268.722;

(e) An underpass project, as defined in NRS 268.726; or

(f) A water project, as defined in NRS 268.728.

3. In the case of a city with respect to any tax increment area created pursuant to a cooperative agreement between the city and the Nevada System of Higher Education pursuant to NRS 278C.155, in addition to the projects described in subsection 2:

(a) A project for any other infrastructure necessary or desirable for the principal campus of the Nevada State College that is approved by the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees* of the ~~{University of}~~ Nevada ~~{}~~ *State College* or *the Nevada Office of Higher Education Administrative Services*;

(b) An educational facility or other capital project for the principal campus of the Nevada State College that is owned by the Nevada System of Higher Education and approved by the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees* of the ~~{University of}~~ Nevada ~~{}~~ *State*



College or the Nevada Office of Higher Education Administrative Services.

4. In the case of a county or city with respect to any tax increment area created by an ordinance adopted pursuant to NRS 278C.157, in addition to the projects described in subsections 1 and 2:

- (a) A natural resources project; or
- (b) A rail project.

Sec. 289. NRS 278C.155 is hereby amended to read as follows:

278C.155 1. A tax increment area may be created pursuant to this section by a cooperative agreement between a city in which the principal campus of the Nevada State College is located or intended to be located and the Nevada System of Higher Education, if the boundaries of the tax increment area include only land:

(a) On which the principal campus of the Nevada State College is located or intended to be located; and

(b) Which:

- (1) Consists of not more than 509 acres;
- (2) Was transferred by the city creating the tax increment area to the Nevada System of Higher Education for the use of the Nevada State College;
- (3) Has never been subject to property taxation; and
- (4) The Nevada System of Higher Education has agreed to continue to own for the term of the tax increment area.

↪ The provisions of NRS 278C.160, subsections 4, 6 and 7 of NRS 278C.170, NRS 278C.220, subsections 2 and 3 of NRS 278C.250 and paragraph (d) of subsection 6 of NRS 278C.250 do not apply to a tax increment area created pursuant to this section, but such a tax increment area is subject to the provisions of subsections 2 to 9, inclusive.

2. Whenever the governing body of a city in which the principal campus of the Nevada State College is located or intended to be located and the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees* of the ~~{University of}~~ Nevada *State College or the Nevada Office of Higher Education Administrative Services* determine that the interests of the city, the Nevada System of Higher Education and the public require an undertaking, the governing body and the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or the Office* may enter into a cooperative agreement pursuant to NRS 277.080 to 277.180, inclusive, which describes by reference to the general types of undertakings authorized pursuant to NRS 278C.140 and the undertakings proposed for the tax increment area, and which contains or refers to an exhibit filed with the clerk of the city and



1 ~~{the Secretary of}~~ the ~~{Board}~~ **board** of ~~{Regents}~~ **trustees or the**
2 **Office** which contains:

3 (a) A statement of the last finalized amount of the assessed
4 valuation of the real property within the boundaries of the tax
5 increment area, which boundaries must be in compliance with
6 subsection 1, and a statement that, based upon the records of the
7 county treasurer, no property taxes were collected on any of that
8 property, or on any interest therein, during the most recent year for
9 which those records are available; and

10 (b) A description of the tax increment area or its location, so that
11 the various tracts of taxable real property and any taxable personal
12 property may be identified and determined to be within or without
13 the tax increment area, except that the description need not describe
14 in complete detail each tract of real property proposed to be
15 included within the tax increment area.

16 3. The governing body may, at any time after the effective date
17 of a cooperative agreement entered into pursuant to this section,
18 adopt a resolution that provisionally orders the undertakings and
19 creation of the tax increment area.

20 4. The notice of the meeting required pursuant to subsection 3
21 of NRS 278C.170 must:

22 (a) Describe by reference the general types of undertakings
23 authorized pursuant to NRS 278C.140 and the undertakings
24 proposed for the tax increment area;

25 (b) Describe the last finalized amount of the assessed valuation
26 of the real property within the boundaries of the tax increment area,
27 and state that, based upon the records of the county treasurer, no
28 property taxes were collected on any of that property, or on any
29 interest therein, during the most recent year for which those records
30 are available;

31 (c) Describe the tax increment area or its location, so that the
32 various tracts of taxable real or personal property may be identified
33 and determined to be within or without the tax increment area; and

34 (d) State the date, time and place of the meeting described in
35 subsection 1 of NRS 278C.170.

36 5. If, after considering all properly submitted and relevant
37 written and oral complaints, protests, objections and other relevant
38 comments and after considering any other relevant material, the
39 governing body determines that the undertaking is in the public
40 interest and defines that public interest, the governing body shall
41 determine whether to proceed with the undertaking. If the governing
42 body has ordered any modification to an undertaking and has
43 determined to proceed, the governing body must consult with the
44 ~~{Board}~~ **board** of ~~{Regents}~~ **trustees or the Office** to obtain ~~{its}~~
45 consent to the proposed modification. When the ~~{Board}~~ **board** of



~~{Regents}~~ *trustees or the Office* and the governing body are in agreement on the modification, if any, and a statement of the modification is filed with the clerk, if the governing body wants to proceed with the undertaking, the governing body shall adopt an ordinance in the same manner as any other ordinance:

(a) Overruling all complaints, protests and objections not otherwise acted upon;

(b) Ordering the undertaking;

(c) Describing the tax increment area to which the undertaking pertains; and

(d) Creating a tax increment account for the undertaking.

6. Money deposited in the tax increment account as described in subparagraph (2) of paragraph (a) of subsection 1 of NRS 278C.250 may be used to pay the capital costs of the undertaking directly, in addition to being used to pay the bond requirements of loans, money advanced or indebtedness incurred to finance or refinance an undertaking, and may continue to be used for those purposes until the expiration of the tax increment area pursuant to NRS 278C.300.

7. The ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or the Office* may pledge to any securities it issues under a delegation pursuant to subsection 8, or irrevocably dedicate to the city that will issue securities hereunder, any revenues of the Nevada System of Higher Education derived from the campus of the Nevada System of Higher Education whose boundaries are included in whole or in part in the tax increment area, other than revenues from state appropriations and from student fees, and subject to any covenants or restrictions in any instruments authorizing other securities. Such an irrevocable dedication must be for the term of the securities issued by the city and any securities refunding those securities and may also extend for the term of the tax increment area.

8. The city may delegate to the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or the Office* the authority to issue any security other than a general obligation security which the city is authorized to issue pursuant to this chapter, and in connection therewith, may irrevocably dedicate to the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or the Office* the revenues that are authorized pursuant to this chapter to be pledged or used to repay those securities, including, without limitation, all money in the tax increment account created pursuant to subsection 5. The irrevocable dedication of any security pursuant to this subsection must be for the term of the security issued by the Nevada System of Higher Education and any security refunding those securities and may also extend for the term of the tax increment area.



9. If the boundaries of a county school district include a tax increment area created pursuant to this section and the county school district operates a public school on property within the boundaries of that tax increment area, the county school district and the Nevada System of Higher Education shall consult with one another regarding funding for the operating costs of that public school.

Sec. 290. NRS 281.060 is hereby amended to read as follows:

281.060 1. Only citizens or wards of the United States or persons who have been honorably discharged from the military service of the United States may be employed by any officer of the State of Nevada, by any political subdivision of the State, or by any person acting under or for such an officer in any office or department of the State of Nevada or political subdivision of the State.

2. In all cases where persons are so employed, preference must be given, if the qualifications of the applicants are equal:

(a) First: To honorably discharged military personnel of the United States who are citizens of the State of Nevada.

(b) Second: To other citizens of the State of Nevada.

3. Nothing in this section prevents:

(a) The working of prisoners by the State of Nevada or by any political subdivision of the State, on street or road work or other public work.

(b) The employment of aliens, who have not forfeited their right to citizenship by claiming exemption from military service, as common laborers in the construction of public roads, when it can be shown that citizens or wards of the United States or persons who have been honorably discharged from the military service of the United States are not available for such employment. Any alien so employed must be replaced by a citizen, ward or ex-service person of the United States applying for employment.

(c) The employment of any teacher, instructor or professor authorized to teach in the United States under the teacher-exchange programs as authorized by federal laws enacted by the Congress of the United States.

(d) Except as otherwise provided in this paragraph, the employment of aliens by *the University of Nevada* or the Nevada System of Higher Education in the technical, graduate assistant and student categories. Except in the foreign language departments, not more than 5 percent of the total number of persons employed in the technical, graduate assistant and student categories may be aliens.

(e) Employment of aliens in any state or political subdivision hospital.



4. Subject to the exceptions contained in this section, money must not be paid out of the State Treasury or out of the treasury of any political subdivision of the State to any person employed on any of the work mentioned in this section unless the person is a citizen or ward or naturalized citizen of the United States.

5. Any officer of the State of Nevada, or of any political subdivision of the State, or any person acting under or for such an officer, or any other person who violates any of the provisions of this section is guilty of a misdemeanor. The penalties provided for in this section do not apply where the violations result from misrepresentations made by the employee by the production of fraudulent papers evidencing citizenship in the United States.

Sec. 291. NRS 281.122 is hereby amended to read as follows:

281.122 1. Except as otherwise provided in this section, a public body shall not enter into an employment contract that entitles an officer or employee of the public body to receive:

(a) Any fringe benefit, unless the public body has adopted a policy authorizing all persons employed by the public body in a similar position to receive the benefit.

(b) Any bonus, unless the bonus is based on merit and awarded at a public meeting.

(c) Upon the termination of the employment of the officer or employee for cause or the resignation of the officer or employee when an investigation relating to his or her employment is pending, any:

(1) Wages in lieu of notice or administrative leave;

(2) Salary, benefits or equivalent compensation, including, without limitation, severance pay;

(3) Bonus; or

(4) Other form of payment.

2. Upon the termination of the employment of an officer or employee of a public body, the person:

(a) Must be paid for any portion of accumulated annual leave and compensatory time and unused sick leave authorized by law or policy of the public body.

(b) Remains entitled to any pension or retirement benefit provided by the Public Employees' Retirement System or other retirement or pension program of which he or she is a member.

3. Nothing in this section shall be construed to limit or prohibit:

(a) A person from:

(1) Receiving compensation for past services upon his or her termination;



(2) Bringing any cause of action for wrongful or unlawful acts committed against the person relating to his or her employment or termination; or

(3) Accepting any legal or equitable relief awarded or recovered for wrongful or unlawful acts committed against the person relating to his or her employment or termination.

(b) A public body from entering into an agreement to pay the cost of purchasing credit for service on behalf of an officer or employee pursuant to NRS 286.3007 or under any other retirement or pension program, if applicable.

4. The provisions of this section do not apply to:

(a) Any contract negotiated pursuant to a collective bargaining agreement.

(b) Officers and employees of *the University of Nevada or* the Nevada System of Higher Education.

5. As used in this section, “public body” has the meaning ascribed to it in NRS 241.015.

Sec. 292. NRS 281.123 is hereby amended to read as follows:

281.123 1. Except as otherwise provided in subsection 3 or NRS 281.1233, or as authorized by statute referring specifically to that position, the salary of a person employed by the State or any agency of the State must not exceed 95 percent of the salary for the office of Governor during the same period.

2. As used in subsection 1, the term “salary”:

(a) Includes any:

(1) Payment received by an employee for being available to work although the employee was not actually required to perform the work;

(2) Increase in salary provided to compensate for a rise in the cost of living; and

(3) Payment received as compensation for purportedly performing additional duties.

(b) Excludes any:

(1) Payment received as compensation for overtime even if that payment is otherwise authorized by law; and

(2) Rent or utilities supplied to an employee if the employee is required by statute or regulation to live in a particular dwelling.

3. The provisions of subsection 1 do not apply to the salaries of:

(a) Dentists and physicians employed full-time by the State; or

(b) Officers and employees of *the University of Nevada and* the Nevada System of Higher Education.

Sec. 293. NRS 281.210 is hereby amended to read as follows:

281.210 1. Except as otherwise provided in this section, it is unlawful for any person acting as a school trustee, state, township,



1 municipal or county officer, or as an employing authority of *the*
2 *University of Nevada* or the Nevada System of Higher Education,
3 any school district or of the State, any town, city or county, or for
4 any state or local board, agency or commission, elected or
5 appointed, to employ in any capacity on behalf of the State of
6 Nevada, or any county, township, municipality or school district
7 thereof, or *the University of Nevada* or the Nevada System of
8 Higher Education, any relative of such a person or of any member of
9 such a board, agency or commission who is within the third degree
10 of consanguinity or affinity.

11 2. This section does not apply:

12 (a) To school districts, when the teacher or other school
13 employee is not related to more than one of the trustees or person
14 who is an employing authority by consanguinity or affinity and
15 receives a unanimous vote of all members of the board of trustees
16 and approval by the Department of Education.

17 (b) To school districts, when the teacher or other school
18 employee has been employed by an abolished school district or
19 educational district, which constitutes a part of the employing
20 county school district, and the county school district for 4 years or
21 more before April 1, 1957.

22 (c) To the spouse of the warden of an institution or manager of a
23 facility of the Department of Corrections.

24 (d) To relatives of officers and employees who are blind of the
25 Bureau of Services to Persons Who Are Blind or Visually Impaired
26 of the Rehabilitation Division of the Department of Employment,
27 Training and Rehabilitation when those relatives are employed as
28 automobile drivers for those officers and employees.

29 3. Nothing in this section:

30 (a) Prevents any officer in this State, employed under a flat
31 salary, from employing any suitable person to assist in any such
32 employment, when the payment for the service is met out of the
33 personal money of the officer.

34 (b) Disqualifies any widow with a dependent as an employee of
35 any officer or board in this State, or any of its counties, townships,
36 municipalities or school districts.

37 4. A person employed contrary to the provisions of this section
38 must not be compensated for the employment.

39 5. Any person violating any provisions of this section is guilty
40 of a gross misdemeanor.

41 **Sec. 294.** NRS 281.221 is hereby amended to read as follows:

42 281.221 1. Except as otherwise provided in this section and
43 NRS 281A.430, it is unlawful for a state officer, who is not a
44 member of the Legislature subject to the restrictions set forth in
45 NRS 218A.970, to:



(a) Become a contractor under any contract or order for supplies or other kind of contract authorized by or for the State or any of its departments, or the Legislature or either of its houses, or to be interested, directly or indirectly, as principal, in any kind of contract so authorized.

(b) Be interested in any contract made by the officer or to be a purchaser or interested in any purchase under a sale made by the officer in the discharge of the officer's official duties.

2. A member of any board, commission or similar body who is engaged in the profession, occupation or business regulated by the board, commission or body may supply or contract to supply, in the ordinary course of his or her business, goods, materials or services to any state or local agency, except the board, commission or body of which he or she is a member, if the member has not taken part in developing the contract plans or specifications and the member will not be personally involved in opening, considering or accepting offers.

3. A full- or part-time faculty member in *the University of Nevada or* the Nevada System of Higher Education may bid on or enter into a contract with a governmental agency, or may benefit financially or otherwise from a contract between a governmental agency and a private entity, if the contract complies with the policies established by the ~~{Board of Regents of the University of Nevada}~~ *relevant higher education governing body* pursuant to NRS 396.255.

4. A state officer, other than an officer described in subsection 2 or 3, may bid on or enter into a contract with a governmental agency if the contracting process is controlled by rules of open competitive bidding, the sources of supply are limited, the officer has not taken part in developing the contract plans or specifications and the officer will not be personally involved in opening, considering or accepting offers.

5. Any contract made in violation of this section may be declared void at the instance of the State or of any other person interested in the contract except an officer prohibited from making or being interested in the contract.

6. A person who violates this section is guilty of a gross misdemeanor and shall forfeit his or her office.

7. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 295. NRS 281.230 is hereby amended to read as follows:

281.230 1. Except as otherwise provided in this section and NRS 218A.970, 281A.430 and 332.800, the following persons shall not, in any manner, directly or indirectly, receive any commission, personal profit or compensation of any kind resulting from any



1 contract or other significant transaction in which the employing
2 state, county, municipality, township, district or quasi-municipal
3 corporation is in any way directly interested or affected:

4 (a) State, county, municipal, district and township officers of the
5 State of Nevada;

6 (b) Deputies and employees of state, county, municipal, district
7 and township officers; and

8 (c) Officers and employees of quasi-municipal corporations.

9 2. A member of any board, commission or similar body who is
10 engaged in the profession, occupation or business regulated by the
11 board, commission or body may, in the ordinary course of his or her
12 business, bid on or enter into a contract with any governmental
13 agency, except the board, commission or body of which he or she is
14 a member, if the member has not taken part in developing the
15 contract plans or specifications and the member will not be
16 personally involved in opening, considering or accepting offers.

17 3. A full- or part-time faculty member or employee of *the*
18 *University of Nevada* or the Nevada System of Higher Education
19 may bid on or enter into a contract with a governmental agency, or
20 may benefit financially or otherwise from a contract between a
21 governmental agency and a private entity, if the contract complies
22 with the policies established by the ~~{Board of Regents of the~~
23 ~~University of Nevada}~~ *relevant higher education governing body*
24 pursuant to NRS 396.255.

25 4. A public officer or employee, other than an officer or
26 employee described in subsection 2 or 3, may bid on or enter into a
27 contract with a governmental agency if the contracting process is
28 controlled by rules of open competitive bidding, the sources of
29 supply are limited, the public officer or employee has not taken part
30 in developing the contract plans or specifications and the public
31 officer or employee will not be personally involved in opening,
32 considering or accepting offers. If a public officer who is authorized
33 to bid on or enter into a contract with a governmental agency
34 pursuant to this subsection is a member of the governing body of the
35 agency, the public officer, pursuant to the requirements of NRS
36 281A.420, shall disclose his or her interest in the contract and shall
37 not vote on or advocate the approval of the contract.

38 5. A person who violates any of the provisions of this section
39 shall be punished as provided in NRS 197.230 and:

40 (a) Where the commission, personal profit or compensation is
41 \$650 or more, for a category D felony as provided in NRS 193.130.

42 (b) Where the commission, personal profit or compensation is
43 less than \$650, for a misdemeanor.

44 6. A person who violates the provisions of this section shall
45 pay any commission, personal profit or compensation resulting from



the contract or transaction to the employing state, county, municipality, township, district or quasi-municipal corporation as restitution.

7. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 296. NRS 281.755 is hereby amended to read as follows:

281.755 1. Except as otherwise provided in subsections 2 and 5, a public body shall provide an employee who is the mother of a child under 1 year of age with:

(a) Reasonable break time, with or without compensation, for the employee to express breast milk as needed; and

(b) A place, other than a bathroom, that is reasonably free from dirt or pollution, protected from the view of others and free from intrusion by others where the employee may express breast milk.

2. If the public body determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the public body, the public body may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the public body may require the employee to accept a reasonable alternative selected by the public body and the employee may appeal the decision by filing a complaint in the manner set forth in subsection 4.

3. An officer or agent of a public body shall not retaliate, or direct or encourage another person to retaliate, against an employee of the public body because the employee has:

(a) Taken break time or used the space provided pursuant to subsection 1 or 2 to express breast milk; or

(b) Taken any action to require the public body to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing to enforce the provisions of this section.

4. An employee who is aggrieved by the failure of a public body to comply with the provisions of this section may:

(a) If the employee is employed by the Executive Department of State Government, is not an employee of an entity described in NRS 284.013 and is not an employee in a bargaining unit pursuant to NRS 288.400 to 288.630, inclusive, file a complaint with the Employee-Management Committee in accordance with the procedures provided pursuant to NRS 284.384;

(b) If the employee is employed by the Legislative Department of State Government, file a complaint with the Director of the Legislative Counsel Bureau;



(c) If the employee is employed by the Judicial Department of State Government, file a complaint with the Court Administrator; and

(d) If the employee is employed by a political subdivision of this State or any public or quasi-public corporation organized under the laws of this State or if the employee is employed by the Executive Department of State Government and is an employee in a bargaining unit pursuant to NRS 288.400 to 288.630, inclusive, file a complaint with the Government Employee-Management Relations Board in the manner set forth in NRS 288.115.

5. The requirements of this section do not apply to the Department of Corrections. The Department is encouraged to comply with the provisions of this section to the extent practicable.

6. As used in this section, “public body” means:

(a) The State of Nevada, or any agency, instrumentality or corporation thereof;

(b) The *University of Nevada or the* Nevada System of Higher Education; or

(c) Any political subdivision of this State or any public or quasi-public corporation organized under the laws of this State, including, without limitation, counties, cities, unincorporated towns, school districts, charter schools, hospital districts, irrigation districts and other special districts.

Sec. 297. NRS 281A.182 is hereby amended to read as follows:

281A.182 1. Any person who serves in one of the following positions is designated as a public officer solely and exclusively for the purposes of this chapter:

(a) A president of a university, state college or community college within *the University of Nevada or* the Nevada System of Higher Education.

(b) A superintendent of a county school district.

(c) A county manager or a city manager.

2. The provisions of subsection 1 apply to such a person regardless of whether the person serves in the position:

(a) By appointment, contract or employment;

(b) With or without compensation; or

(c) On a temporary, interim or acting basis.

3. A person who is not otherwise a public officer is designated as a public officer solely and exclusively for the purposes of this chapter if the person:

(a) Enters into a contract with any state or local agency;

(b) Is paid compensation with public money; and



(c) Serves in a position which involves the exercise of a public power, trust or duty and which ordinarily would be held or filled by a public officer.

4. A person who is not otherwise a public employee is designated as a public employee solely and exclusively for the purposes of this chapter if:

(a) The person enters into a contract with any state or local agency;

(b) The person is paid compensation with public money;

(c) The person serves in a position which involves the performance of public duties under the substantial and continuing direction and control of a public officer or supervisory public employee;

(d) The position ordinarily would be held or filled by a public employee and would require the public employee to hold a valid professional or occupational license or similar type of authorization issued by a state or local agency to perform the public duties of the position, other than a general business license or similar type of authorization;

(e) The position is entrusted with public duties of a substantial and continuing nature which ordinarily would require a public employee to avoid conflicts between the private interests of the public employee and those of the general public whom the public employee serves; and

(f) The person occupies the position on a full-time basis or its equivalent for a substantial and continuing period of time.

5. The provisions of subsections 3 and 4 must be interpreted and applied to ensure that a person does not evade the provisions of this chapter because a state or local agency elects to use a contractual relationship instead of an employment relationship for a position which ordinarily would be held or filled by a public officer or employee.

6. If, pursuant to this section, any person is designated as a public officer or employee for the purposes of this chapter, that designation:

(a) Does not make the person a public officer or employee for the purposes of any other law or for any other purposes; and

(b) Must not be used, interpreted or applied in any manner to establish, suggest or prove that the person is a public officer or employee for the purposes of any other law or for any other purposes.

Sec. 298. NRS 281A.430 is hereby amended to read as follows:

281A.430 1. Except as otherwise provided in this section and NRS 218A.970 and 332.800, a public officer or employee shall not



1 bid on or enter into a contract between an agency and any business
2 entity in which the public officer or employee has a significant
3 pecuniary interest.

4 2. A member of any board, commission or similar body who is
5 engaged in the profession, occupation or business regulated by such
6 board, commission or body may, in the ordinary course of his or her
7 business, bid on or enter into a contract with an agency, except the
8 board, commission or body on which he or she is a member, if the
9 member has not taken part in developing the contract plans or
10 specifications and the member will not be personally involved in
11 opening, considering or accepting offers.

12 3. A full- or part-time faculty member or employee of *the*
13 *University of Nevada* or the Nevada System of Higher Education
14 may bid on or enter into a contract with an agency, or may benefit
15 financially or otherwise from a contract between an agency and a
16 private entity, if the contract complies with the policies established
17 by the ~~{Board of Regents of the University of Nevada}~~ *relevant*
18 *higher education governing body* pursuant to NRS 396.255.

19 4. Except as otherwise provided in subsection 2, 3 or 5, a
20 public officer or employee may bid on or enter into a contract with
21 an agency if:

22 (a) The contracting process is controlled by the rules of open
23 competitive bidding or the rules of open competitive bidding or for a
24 solicitation are not employed as a result of the applicability of NRS
25 332.112 or 332.148;

26 (b) The sources of supply are limited;

27 (c) The public officer or employee has not taken part in
28 developing the contract plans or specifications; and

29 (d) The public officer or employee will not be personally
30 involved in opening, considering or accepting offers.

31 ➤ If a public officer who is authorized to bid on or enter into a
32 contract with an agency pursuant to this subsection is a member of
33 the governing body of the agency, the public officer, pursuant to the
34 requirements of NRS 281A.420, shall disclose the public officer's
35 interest in the contract and shall not vote on or advocate the
36 approval of the contract.

37 5. A member of a local legislative body shall not, either
38 individually or through any business entity in which the member has
39 a significant pecuniary interest, sell goods or services to the local
40 agency governed by his or her local legislative body unless:

41 (a) The member, or the business entity in which the member has
42 a significant pecuniary interest, offers the sole source of supply of
43 the goods or services within the territorial jurisdiction of the local
44 agency governed by his or her local legislative body;



(b) The local legislative body includes in the public notice and agenda for the meeting at which it will consider the purchase of such goods or services a clear and conspicuous statement that it is considering purchasing such goods or services from one of its members, or from a business entity in which the member has a significant pecuniary interest;

(c) At the meeting, the member discloses his or her significant pecuniary interest in the purchase of such goods or services and does not vote upon or advocate the approval of the matter pursuant to the requirements of NRS 281A.420; and

(d) The local legislative body approves the purchase of such goods or services in accordance with all other applicable provisions of law.

6. The Commission may relieve a public officer or employee from the strict application of the provisions of this section if:

(a) The public officer or employee files a request for an advisory opinion from the Commission pursuant to NRS 281A.675; and

(b) The Commission determines that such relief is not contrary to:

(1) The best interests of the public;

(2) The continued ethical integrity of each agency affected by the matter; and

(3) The provisions of this chapter.

7. For the purposes of subsection 6, the request for an advisory opinion, the advisory opinion and all meetings, hearings and proceedings of the Commission in such a matter are governed by the provisions of NRS 281A.670 to 281A.690, inclusive.

8. *As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

Sec. 299. NRS 284.140 is hereby amended to read as follows:

284.140 The unclassified service of the State consists of the following state officers or employees in the Executive Department of the State Government who receive annual salaries for their services:

1. Members of boards and commissions, and heads of departments, agencies and institutions required by law to be appointed.

2. Except as otherwise provided in NRS 223.085, 223.600 and 232.461 all persons required by law to be appointed by the Governor or heads of departments or agencies appointed by the Governor or by boards.

3. All employees other than clerical in the Office of the Attorney General and the State Public Defender required by law to be appointed by the Attorney General or the State Public Defender.



4. Except as otherwise provided by ~~the Board of Regents of the University of Nevada~~ *a higher education governing body* pursuant to NRS 396.251, officers and members of the teaching staff and the staffs of the Agricultural Extension Department and Experiment Station of the *University of Nevada*, ~~System of Higher Education,~~ or any other state institution of learning, and student employees of these institutions. Custodial, clerical or maintenance employees of these institutions are in the classified service. The Board of Regents of the University of Nevada *and any other higher education governing body, as applicable*, shall assist the Administrator in carrying out the provisions of this chapter applicable to *the University of Nevada or* the Nevada System of Higher Education. *As used in this subsection, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

5. All other officers and employees authorized by law to be employed in the unclassified service.

Sec. 300. NRS 284.325 is hereby amended to read as follows:

284.325 1. The Commission shall adopt regulations not inconsistent with this section for the certification of qualified persons for temporary service.

2. Except as otherwise provided in subsection 3, temporary positions which occur, terminate or recur periodically must be filled by certification in accordance with the regulations adopted by the Commission.

3. An agency may appoint persons temporarily for less than 160 cumulative hours during any calendar year without regard to the regulations adopted by the Commission pursuant to subsection 1.

4. The limitation on hours set forth in subsection 3 does not apply to temporary or part-time service by:

(a) A pupil attending the pupil's last 2 years of high school;

(b) A student employed by the college or university the student attends;

(c) A person certified for temporary service in accordance with NRS 284.327;

(d) An employee of an events center, museum or research center of *the University of Nevada or* the Nevada System of Higher Education;

(e) A person employed by *the University of Nevada or* the Nevada System of Higher Education in a temporary position which recurs periodically for the registration of students; or

(f) A person employed by *the University of Nevada* the Nevada System of Higher Education to provide such assistance to a student with a disability or to a student with an identified academic disadvantage as it determines is necessary for the academic success



1 of the student, including, without limitation, a person employed as a
2 tutor, note taker, reader, sign interpreter or test proctor.

3 5. The acceptance or refusal by an eligible person of a
4 temporary appointment does not affect the person's standing on the
5 register for permanent employment, nor may the period of
6 temporary service be counted as part of the probationary period in
7 case of subsequent appointment to a permanent position.

8 6. Successive temporary appointments to the same position
9 must not be made under this section.

10 7. As used in this section, "student with an identified academic
11 disadvantage" includes, without limitation, a student who *the*
12 *University of Nevada or* the Nevada System of Higher Education
13 has determined requires the services of a tutor for success in a
14 course of study.

15 **Sec. 301.** NRS 284.343 is hereby amended to read as follows:

16 284.343 1. Except as otherwise provided in this subsection,
17 after consultation with appointing authorities, and in cooperation
18 with the State Board of Examiners, the Commission shall adopt
19 regulations for all training of employees in the state service.
20 Professional employees of the teaching staff, Agricultural Extension
21 Service and Nevada Agricultural Experiment Station staffs of the
22 *University of Nevada*, ~~{System of Higher Education,}~~ or any other
23 state institution of learning and student employees of such an
24 institution are exempt from the provisions of this section.

25 2. The regulations adopted pursuant to subsection 1 must:

26 (a) Include requirements for the training of supervisors and
27 managerial employees concerning implicit bias.

28 (b) Set forth the conditions under which educational leave
29 stipends may be paid to any officer or employee of the State. Except
30 as otherwise provided in NRS 612.230 and with the exception of
31 intermittent course work not leading to the awarding of a degree, no
32 person may be granted educational leave stipends until the person
33 has entered into a contract with the person's employing agency
34 whereby the person agrees to pursue only those courses required for
35 a degree related to the person's employment with the State and to
36 return to the employ of the person's employing agency on the basis
37 of 1 year for each 9 months of educational leave taken or to refund
38 the total amount of the stipends regardless of the balance at the time
39 of separation.

40 3. This section does not prevent the granting of sabbatical
41 leaves by ~~{the Board of Regents of the University of Nevada,}~~ *a*
42 *higher education governing body, as defined in NRS 396.005, or*
43 *the Nevada Office of Higher Education Administrative Services.*



4. Where practicable all training for state employees must be presented through established educational institutions within the State.

5. The Division shall coordinate all training activities related to remedial programs and programs for career development designed to correct educational and training deficiencies of state employees and create employment opportunities for the disadvantaged. In connection with these activities, the Division, with the approval of the Governor, is designated to enter into contractual arrangements with the Federal Government and others that provide grants or other money for educational and training activities.

Sec. 302. NRS 284.345 is hereby amended to read as follows:

284.345 1. Except as otherwise provided in subsection 2, the Commission shall adopt regulations for attendance and leave with or without pay or reduced pay in the various classes of positions in the public service.

2. ~~{The Board of Regents of the University of Nevada}~~ *Each higher education governing body* shall adopt regulations for attendance and for leave with or without pay or with reduced pay, sabbatical leave, sick leave, emergency leave, annual leave, terminal leave, military leave and such other leave as the ~~{Board of Regents}~~ *higher education governing body* determines to be necessary or desirable for officers and members of the faculty of *the University of Nevada and* the Nevada System of Higher Education ~~{ }~~ *, as applicable*. Sabbatical leave with pay may not be granted to more than 2 percent of the teaching personnel of a branch or facility of the *University or* System with the rank of instructor or higher in any 1 year. No sabbatical leave with pay may be granted unless the person requesting the leave agrees in writing with the branch or facility to return to the branch or facility after the leave for a period not less than that required by the person's most recent contract of employment if *University of Nevada or* the Nevada System of Higher Education desires the person's continued service.

3. *As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

Sec. 303. NRS 284.350 is hereby amended to read as follows:

284.350 1. Except as otherwise provided in subsections 2, 3 and 4, an employee in the public service, whether in the classified or unclassified service, is entitled to annual leave with pay of 1 1/4 working days for each month of continuous public service. The annual leave may be cumulative from year to year not to exceed 30 working days. The Commission may by regulation provide for additional annual leave for long-term employees and for prorated annual leave for part-time employees.



2. Except as otherwise provided in this subsection, any annual leave in excess of 30 working days must be used before January 1 of the year following the year in which the annual leave in excess of 30 working days is accumulated or the amount of annual leave in excess of 30 working days is forfeited on that date. If an employee:

(a) On or before October 15, requests permission to take annual leave; and

(b) The employee's request for leave is denied in writing for any reason,

the employee is entitled to payment for any annual leave in excess of 30 working days which the employee requested to take and which the employee would otherwise forfeit as the result of the denial of the employee's request, unless the employee has final authority to approve use of the employee's own accrued leave and the employee received payment pursuant to this subsection for any unused annual leave in excess of 30 working days accumulated during the immediately preceding calendar year. The payment for the employee's unused annual leave must be made to the employee not later than January 31.

3. Officers and members of the faculty of *the University of Nevada and* the Nevada System of Higher Education are entitled to annual leave as provided by the regulations adopted pursuant to subsection 2 of NRS 284.345.

4. The Commission shall establish by regulation a schedule for the accrual of annual leave for employees who regularly work more than 40 hours per week or 80 hours biweekly. The schedule must provide for the accrual of annual leave at the same rate proportionately as employees who work a 40-hour week accrue annual leave.

5. No elected state officer may be paid for accumulated annual leave upon termination of the officer's service.

6. During the first 6 months of employment of any employee in the public service, annual leave accrues as provided in subsection 1, but no annual leave may be taken during that period.

7. No employee in the public service may be paid for accumulated annual leave upon termination of employment unless the employee has been employed for 6 months or more.

8. Upon the request of an employee, the appointing authority of the employee may approve the reduction or satisfaction of an overpayment of the salary of the employee that was not obtained by the fraud or willful misrepresentation of the employee with a corresponding amount of the accrued annual leave of the employee.

Sec. 304. NRS 284.355 is hereby amended to read as follows:

284.355 1. Except as otherwise provided in this section, all employees in the public service, whether in the classified or



1 unclassified service, are entitled to sick and disability leave with pay
2 of 1 1/4 working days for each month of service, which may be
3 cumulative from year to year. After an employee has accumulated
4 90 working days of sick leave, the amount of additional unused sick
5 leave which the employee is entitled to carry forward from 1 year to
6 the next is limited to one-half of the unused sick leave accrued
7 during that year, but the Commission may by regulation provide for
8 subsequent use of unused sick leave accrued but not carried forward
9 because of this limitation in cases where the employee is suffering
10 from a long-term or chronic illness and has used all sick leave
11 otherwise available to the employee.

12 2. Upon the retirement of an employee, the employee's
13 termination through no fault of the employee or the employee's
14 death while in public employment, the employee or the
15 employee's beneficiaries are entitled to payment:

16 (a) For the employee's unused sick leave in excess of 30 days,
17 exclusive of any unused sick leave accrued but not carried forward,
18 according to the employee's number of years of public service,
19 except service with a political subdivision of the State, as follows:

20 (1) For 10 years of service or more but less than 15 years, not
21 more than \$2,500.

22 (2) For 15 years of service or more but less than 20 years, not
23 more than \$4,000.

24 (3) For 20 years of service or more but less than 25 years, not
25 more than \$6,000.

26 (4) For 25 years of service, not more than \$8,000.

27 (b) For the employee's unused sick leave accrued but not carried
28 forward, an amount equal to one-half of the sum of:

29 (1) The employee's hours of unused sick leave accrued but
30 not carried forward; and

31 (2) An additional 120 hours.

32 3. The Commission may by regulation provide for additional
33 sick and disability leave for long-term employees and for prorated
34 sick and disability leave for part-time employees.

35 4. An employee entitled to payment for unused sick leave
36 pursuant to subsection 2 may elect to receive the payment in any
37 one or more of the following forms:

38 (a) A lump-sum payment.

39 (b) An advanced payment of the premiums or contributions for
40 insurance coverage for which the employee is otherwise eligible
41 pursuant to chapter 287 of NRS. If the insurance coverage is
42 terminated and the money advanced for premiums or contributions
43 pursuant to this subsection exceeds the amount which is payable for
44 premiums or contributions for the period for which the former
45 employee was actually covered, the unused portion of the advanced



1 payment must be paid promptly to the former employee or, if the
2 employee is deceased, to the employee's beneficiary.

3 (c) The purchase of additional retirement credit, if the employee
4 is otherwise eligible pursuant to chapter 286 of NRS.

5 5. Officers and members of the faculty of *the University of*
6 *Nevada and* the Nevada System of Higher Education are entitled to
7 sick and disability leave as provided by the regulations adopted
8 pursuant to subsection 2 of NRS 284.345.

9 6. The Commission may by regulation provide policies
10 concerning employees with mental or emotional disorders which:

11 (a) Use a liberal approach to the granting of sick leave or leave
12 without pay to such an employee if it is necessary for the employee
13 to be absent for treatment or temporary hospitalization.

14 (b) Provide for the retention of the job of such an employee for a
15 reasonable period of absence, and if an extended absence
16 necessitates separation or retirement, provide for the reemployment
17 of such an employee if at all possible after recovery.

18 (c) Protect employee benefits, including, without limitation,
19 retirement, life insurance and health benefits.

20 7. The Commission shall establish by regulation a schedule for
21 the accrual of sick leave for employees who regularly work more
22 than 40 hours per week or 80 hours biweekly. The schedule must
23 provide for the accrual of sick leave at the same rate proportionately
24 as employees who work a 40-hour week accrue sick leave.

25 8. The Division may investigate any instance in which it
26 believes that an employee has taken sick or disability leave to which
27 the employee was not entitled. If, after notice to the employee and a
28 hearing, the Commission determines that the employee has taken
29 sick or disability leave to which the employee was not entitled, the
30 Commission may order the forfeiture of all or part of the employee's
31 accrued sick leave.

32 **Sec. 305.** NRS 284.360 is hereby amended to read as follows:

33 284.360 1. Any person holding a permanent position in the
34 classified service may be granted a leave of absence without pay.
35 Leave of absence may be granted to any person holding a position in
36 the classified service to permit acceptance of an appointive position
37 in the unclassified service. Leave of absence must be granted to any
38 person holding a position in the classified service to permit
39 acceptance of a position in the Legislative Branch during a regular
40 or special session of the Legislature, including a reasonable period
41 before and after the session if the entire period of employment in the
42 Legislative Branch is continuous.

43 2. If a person is granted a leave of absence without pay to
44 permit acceptance of an appointive position in the unclassified



1 service or a position in the Legislative Branch, any benefits earned
2 while the person is in the:

3 (a) Classified service are retained and must be paid by the
4 employer in the classified service, whether or not the person returns
5 to the classified service.

6 (b) Unclassified service or employed by the Legislative Branch
7 are retained and must be paid by the appointing authority in the
8 unclassified service or by the Legislative Branch, if the person does
9 not return to the classified service, or by the employer in the
10 classified service, if the person returns to the classified service.

11 3. Any person in the unclassified service, except members of
12 the academic staff of *the University of Nevada and* the Nevada
13 System of Higher Education, may be granted by the appointing
14 authority a leave of absence without pay for a period not to exceed 6
15 months.

16 4. Officers and members of the faculty of *the University of*
17 *Nevada and* the Nevada System of Higher Education may be
18 granted leaves of absence without pay as provided by the
19 regulations prescribed pursuant to subsection 2 of NRS 284.345.

20 5. Except as otherwise provided in subsection 6, a person in the
21 classified or unclassified service who:

22 (a) Is the natural parent of a child who is less than 6 months old;
23 or

24 (b) Has recently adopted a child,
25 ➤ must be granted, upon request, a leave of absence without pay for
26 a period not to exceed 12 weeks. Such a request by natural parents
27 must be submitted at least 3 months before the date upon which the
28 requested leave will begin, unless a shorter notice is approved by the
29 employer. Such a request by adoptive parents must be submitted not
30 fewer than 2 working days after the parents receive notice of the
31 approval of the adoption. This subsection does not affect the rights
32 of an employee set forth in NRS 284.350 or 284.355.

33 6. The provisions of subsection 5 are effective only if the
34 Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.,
35 or a subsequent federal law ceases to provide for a parental leave of
36 absence of at least 12 weeks.

37 **Sec. 306.** NRS 284.385 is hereby amended to read as follows:

38 284.385 1. An appointing authority may:

39 (a) Dismiss or demote any permanent classified employee when
40 the appointing authority considers that the good of the public service
41 will be served thereby.

42 (b) Except as otherwise provided in NRS 284.148, suspend
43 without pay, for disciplinary purposes, a permanent employee for a
44 period not to exceed 30 days.



2. Before a permanent classified employee is dismissed, involuntarily demoted or suspended, the appointing authority must consult with the Attorney General or, if the employee is employed by *the University of Nevada or* the Nevada System of Higher Education, the appointing authority's general counsel, regarding the proposed discipline. After such consultation, the appointing authority may take such lawful action regarding the proposed discipline as it deems necessary under the circumstances.

3. A dismissal, involuntary demotion or suspension does not become effective until the employee is notified in writing of the dismissal, involuntary demotion or suspension and the reasons therefor. The Commission shall adopt regulations setting forth the procedures for properly notifying the employee of the dismissal, involuntary demotion or suspension and the reasons therefor.

4. No employee in the classified service may be dismissed for any reason relating to his or her religion, race, sexual orientation, or gender identity or expression.

Sec. 307. NRS 286.130 is hereby amended to read as follows:

286.130 1. Three members of the Board must be persons who:

(a) Have had at least 10 years of service as employees of the State of Nevada or its political subdivisions;

(b) Are not elected officers of the State of Nevada or its political subdivisions;

(c) Are active members of the System; and

(d) Are appointed from written nominations submitted by the following groups:

(1) Employees of the State , *the University of Nevada* and the Nevada System of Higher Education;

(2) The academic staff of school districts;

(3) Employees of cities, excluding Carson City;

(4) Employees of counties, including Carson City and excluding employees of county hospitals;

(5) Employees of county hospitals, public utilities, power districts, sanitation districts, classified school employees and employees of other districts as determined by the Board; and

(6) Employees whose current positions entitle them to participate in the Police and Firefighters' Retirement Fund.

➡ Each nominee must be a member of the group or organization that is nominating the nominee.

2. Two members of the Board must be persons who:

(a) Have had at least 10 years of service as employees of the State of Nevada or its political subdivisions;

(b) Are not elected officers of the State of Nevada or its political subdivisions;



(c) Are active members of the System; and
(d) Are appointed from written nominations submitted by the following groups:

(1) Administrators of school districts or members of boards of trustees of school districts; and

(2) Members of boards of county commissioners or the governing bodies of cities or administrators of counties or cities.

3. One member of the Board must be a person who:

(a) Is an employee of the State of Nevada or its political subdivisions with at least 10 years of service;

(b) Is serving in a position at least equivalent to the manager of a department or division;

(c) Is not an elected officer of the State of Nevada or its political subdivisions; and

(d) Is an active member of the System.

4. One member of the board must be a person who:

(a) Has had at least 10 years of service as an employee of the State of Nevada or its political subdivisions;

(b) Is not an elected officer of the State of Nevada or its political subdivisions; and

(c) Is receiving an allowance for service or disability retirement pursuant to this chapter.

5. A member of the Board shall serve for 4 years, so long as the member has the qualifications required by this section, and until the member's successor is appointed and takes office. A member of the Board who no longer has the qualifications specified in the subsection under which the member was appointed may serve the remainder of the member's term if the member loses those qualifications in the final 24 months of the member's term.

Sec. 308. NRS 286.297 is hereby amended to read as follows:

286.297 The following persons are not eligible to become members of the System:

1. Inmates of state institutions even though they may be receiving compensation for services performed for the institution.

2. Independent contractors or persons rendering professional services on a fee, retainer or contract basis.

3. Except as otherwise provided in NRS 286.525, persons retired under the provisions of this chapter who are employed by a participating public employer.

4. Members of boards or commissions of the State of Nevada or of its political subdivisions when such boards or commissions are advisory or directive and when membership thereon is not compensated except for expenses incurred. Receipt of a fee for attendance at official sessions of a particular board or commission does not constitute compensation for the purpose of this subsection.



5. Substitute teachers and students who are employed by the institution which they attend.

6. District judges, judges of the Court of Appeals and justices of the Supreme Court first elected or appointed on or after July 1, 1977, who are not enrolled in the System at the time of election or appointment.

7. Members of the professional staff of *the University of Nevada or* the Nevada System of Higher Education who are employed on or after July 1, 1977.

8. Persons employed on or after July 1, 1979, under the Comprehensive Employment and Training Act.

9. Except as otherwise provided in NRS 286.293, persons assigned to intermittent or temporary positions unless the assignment exceeds 6 consecutive months.

10. Persons employed on or after July 1, 1981, as part-time guards at school crossings.

11. Nurses who:

(a) Are not full-time employees;

(b) Are paid an hourly wage on a daily basis;

(c) Do not receive the employee benefits received by other employees of the same employer; and

(d) Do not work a regular schedule or are requested to work for a shift at a time.

Sec. 309. NRS 286.501 is hereby amended to read as follows:

286.501 Each member who is employed by a school district for less than 12 months per school year and each member of the professional staff of *the University of Nevada or* the Nevada System of Higher Education employed for the academic year who is employed for less than 12 months per fiscal year is credited with service as follows:

1. Service is credited on the basis of a full year if the member works full-time for the full school year.

2. Employment for a part of a school year is credited on a ratio of one and one-third days for each day worked, but credit may not be given in advance or until the appropriate period has expired.

3. A full year of service is not credited until the full 12-month period has expired. If the employee begins work under a new contract before the expiration of the 12-month period for the old contract, credit must be granted for the period of overlap, as certified by the school district, at the first period in which there is a lapse in service.

4. Service credit under this section must be computed according to:

(a) The school year for school district employees.



(b) The fiscal year for members of the professional staff of *the University of Nevada* or the Nevada System of Higher Education.

5. A member receives full credit while on sabbatical leave if the public employer certifies that the compensation and contributions reported for the member are the same as if the member were employed full-time. If the employer does not so certify, the member receives credit in the proportion that the member's actual compensation bears to the member's previous compensation.

➔ No member may receive less credit under this section than was provided under the law in force when the credit was earned.

Sec. 310. NRS 286.523 is hereby amended to read as follows:

286.523 1. It is the policy of this State to ensure that the reemployment of a retired public employee pursuant to this section is limited to positions of extreme need. An employer who desires to employ such a retired public employee to fill a position for which there is a critical labor shortage must make the determination of reemployment based upon the appropriate and necessary delivery of services to the public.

2. The provisions of subsections 1 and 2 of NRS 286.520 do not apply to a retired employee who accepts employment or an independent contract with a public employer under the System if:

(a) The retired employee fills a position for which there is a critical labor shortage; and

(b) At the time of the retired employee's reemployment, the retired employee is receiving:

(1) A benefit that is not actuarially reduced pursuant to subsection 6 of NRS 286.510; or

(2) A benefit actuarially reduced pursuant to subsection 6 of NRS 286.510 and has reached the required age at which the retired employee could have retired with a benefit that was not actuarially reduced pursuant to subsection 6 of NRS 286.510.

3. A retired employee who is reemployed under the circumstances set forth in subsection 2 may reenroll in the System as provided in NRS 286.525.

4. Positions for which there are critical labor shortages must be determined in an open public meeting held by the designating authority as follows:

(a) Except as otherwise provided in this subsection, the State Board of Examiners shall designate positions in State Government for which there are critical labor shortages.

(b) The Supreme Court shall designate positions in the Judicial Branch of State Government for which there are critical labor shortages.

(c) ~~The Board of Regents~~ *Each higher education governing body, as that term is defined in NRS 396.005,* shall designate



positions in *the University of Nevada and* the Nevada System of Higher Education for which there are critical labor shortages.

(d) The board of trustees of each school district shall designate positions within the school district for which there are critical labor shortages.

(e) The governing body of a charter school shall designate positions within the charter school for which there are critical labor shortages.

(f) The governing body of a local government shall designate positions with the local government for which there are critical labor shortages.

(g) The Board shall designate positions within the System for which there are critical labor shortages.

5. In determining whether a position is a position for which there is a critical labor shortage, the designating authority shall make findings based upon the criteria set forth in this subsection that support the designation. Before making a designation, the designating authority shall consider all efforts made by the applicable employer to fill the position through other means. The written findings made by the designating authority must include:

(a) The history of the rate of turnover for the position;

(b) The number of openings for the position and the number of qualified candidates for those openings after all other efforts of recruitment have been exhausted;

(c) The length of time the position has been vacant;

(d) The difficulty in filling the position due to special circumstances, including, without limitation, special educational or experience requirements for the position; and

(e) The history and success of the efforts to recruit for the position, including, without limitation, advertising, recruitment outside of this State and all other efforts made.

6. A designating authority that designates a position as a critical need position shall submit to the System its written findings which support that designation made pursuant to subsection 5 on a form prescribed by the System. The System shall compile the forms received from each designating authority and provide a biennial report on the compilation to the Interim Retirement and Benefits Committee of the Legislature.

7. A designating authority shall not designate a position pursuant to subsection 4 as a position for which there is a critical labor shortage for a period longer than 2 years. To be redesignated as such a position, the designating authority must consider and make new findings in an open public meeting as to whether the position continues to meet the criteria set forth in subsection 5.



Sec. 311. NRS 286.802 is hereby amended to read as follows:

286.802 1. ~~{The Board of Regents of the University of Nevada}~~ *Each higher education governing body or the Nevada Office of Higher Education Administrative Services* shall provide a retirement program separate from the Public Employees' Retirement System. The program must provide retirement and death benefits for members of the professional staff. The State and the participants shall contribute to the cost of the program.

2. A person employed as a member of the professional staff who is enrolled in the Public Employees' Retirement System at the time of the person's employment shall remain a member of that System. Any other eligible employee must be enrolled in the retirement program.

3. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 312. NRS 286.808 is hereby amended to read as follows:

286.808 1. ~~{The Board of Regents of the University of Nevada}~~ *Each higher education governing body or the Nevada Office of Higher Education Administrative Services* shall contribute on behalf of each participant an amount equal to 10 percent of the participant's gross compensation during continuance of employment. Each participant shall also contribute 10 percent of the participant's gross compensation, but the contributions required by this section must not be less than those authorized by NRS 286.410 and 286.450. Payment of the contributions required by this section must be made by the disbursing officer for the ~~{Nevada System of Higher Education}~~ *higher education governing body or the Nevada Office of Higher Education Administrative Services, as applicable*, to the designated investment entities for the benefit of each participant.

2. ~~{The Board of Regents of the University of Nevada}~~ *Each higher education governing body or the Nevada Office of Higher Education Administrative Services* may, on behalf of each participant, pay the contribution required to be paid by the participant in subsection 1. Any such payment must be:

(a) Made in lieu of an equivalent increase in the basic salary or in the cost of living for the participant, or both; or

(b) Counterbalanced by an equivalent reduction in the participant's salary.

3. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 313. NRS 286.810 is hereby amended to read as follows:

286.810 ~~{The Board of Regents of the University of Nevada}~~

1. *Each higher education governing body or the Nevada Office of Higher Education Administrative Services* shall designate



the investment entities to provide investment services under the retirement program and shall approve the form and contents of the contracts. In making the designation and giving the approval, ~~the Board~~ *each higher education governing body or the Office* shall consider:

~~(1.)~~ *(a)* The nature and extent of the rights and benefits to be provided by such contracts for staff members and their beneficiaries;

~~(2.)~~ *(b)* The relation of such rights and benefits to the amount of contributions to be made;

~~(3.)~~ *(c)* The suitability of such rights and benefits to the needs of the staff members and the interests of *the University of Nevada and* the Nevada System of Higher Education in the recruitment and retention of staff members; and

~~(4.)~~ *(d)* The ability of the designated investment entities to provide such suitable rights and benefits under such contracts.

2. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 314. NRS 286.812 is hereby amended to read as follows:

286.812 ~~[The Board of Regents of the University of Nevada]~~

1. Each higher education governing body or the Nevada Office of Higher Education Administrative Services shall provide for the administration of the program and perform all functions which may be necessary for the accomplishment of the program.

2. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 315. NRS 286.814 is hereby amended to read as follows:

286.814 Any member of the professional staff of *the University of Nevada or* the Nevada System of Higher Education enrolled in the retirement program is ineligible for membership in the Public Employees' Retirement System so long as the member remains continuously employed in any position by the *University of Nevada or the* Nevada System of Higher Education and continues in the retirement program.

Sec. 316. NRS 286.816 is hereby amended to read as follows:

286.816 *1.* A retirement, death or other benefit must not be paid by the State of Nevada ~~[or the Board of Regents of the University of Nevada]~~, *a higher education governing body or the Nevada Office of Higher Education Administrative Services* under the retirement program. Benefits are payable to participating employees or their beneficiaries only by the designated investment entities in accordance with the terms of the contracts.

2. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.



Sec. 317. NRS 287.04054 is hereby amended to read as follows:

287.04054 “Participating state agency” means a department, commission, board, bureau or other agency of the Executive, Legislative and Judicial Branches of State Government, including, without limitation, the Public Employees’ Retirement System, *the University of Nevada* and the Nevada System of Higher Education.

Sec. 318. NRS 287.041 is hereby amended to read as follows:

287.041 1. There is hereby created the Board of the Public Employees’ Benefits Program. The Board consists of 11 members appointed as follows:

(a) Two members who are professional employees of *the University of Nevada or* the Nevada System of Higher Education, appointed by the Governor upon consideration of any recommendations of organizations that represent employees of *the University of Nevada or* the Nevada System of Higher Education. One such member must reside in northern Nevada and the other member must reside in southern Nevada.

(b) Two members who are retired from public employment, appointed by the Governor upon consideration of any recommendations of organizations that represent retired public employees.

(c) Two members who are employees in the classified service of the State, appointed by the Governor upon consideration of any recommendations of organizations that represent state employees.

(d) One member who is employed by this State in a managerial capacity and has substantial and demonstrated experience in risk management, group insurance programs, health care administration or employee benefits programs appointed by the Governor.

(e) Two members who have substantial and demonstrated experience in risk management, group insurance programs, health care administration or employee benefits programs appointed by the Governor.

(f) One member who is an employee in the classified service of the State, appointed by the Governor from a list of nominations of 10 classified state employees submitted by the labor organization representing the largest number of classified state employees participating in the Program.

(g) The Director of the Department of Administration or a designee of the Director approved by the Governor.

2. Of the nine persons appointed to the Board pursuant to paragraphs (a) to (e), inclusive, of subsection 1, at least four members must have a bachelor’s degree or a more advanced degree, or equivalent professional experience, in business administration, economics, medicine, accounting, actuarial science, insurance, risk



management or health care administration, and at least two members must have education or proven experience in the management of employees' benefits, insurance, risk management, health care administration or business administration.

3. Each person appointed as a member of the Board must:

(a) Except for a member appointed pursuant to paragraph (e) of subsection 1, have been a participant in the Program for at least 1 year before the person's appointment;

(b) Except for a member appointed pursuant to paragraph (e) of subsection 1, be a current employee of the State of Nevada or another public employer that participates in the Program or a retired public employee who is a participant in the Program;

(c) Not be an elected officer of the State of Nevada or any of its political subdivisions; and

(d) Not participate in any business enterprise or investment:

(1) With any vendor or provider to the Program; or

(2) In real or personal property if the Program owns or has a direct financial interest in that enterprise or property.

4. Except as otherwise provided in this subsection, after the initial terms, the term of an appointed member of the Board is 4 years and until the member's successor is appointed and takes office unless the member no longer possesses the qualifications for appointment set forth in this section or is removed by the Governor. If a member loses the requisite qualifications within the last 12 months of the member's term, the member may serve the remainder of the member's term. If the labor organization that submitted the name of the member appointed pursuant to paragraph (f) of subsection 1 ceases to represent the largest number of classified state employees participating in the Program during the member's term, the member continues to serve for the remainder of his or her unexpired term. Members are eligible for reappointment. A vacancy occurring in the membership of the Board must be filled in the same manner as the original appointment.

5. The appointed members of the Board serve at the pleasure of the Governor.

Sec. 319. NRS 287.045 is hereby amended to read as follows:

287.045 1. Except as otherwise provided in this section, every state officer or employee who is employed in a full-time position is eligible to participate in the Program on:

(a) The first day of full-time employment of the state officer or employee, if that date is the first day of the month; or

(b) The first day of the month immediately following the first day of full-time employment of the state officer or employee.



2. Professional employees of *the University of Nevada* or the Nevada System of Higher Education who have annual employment contracts are eligible to participate in the Program on:

(a) The effective dates of their respective employment contracts, if those dates are on the first day of a month; or

(b) The first day of the month immediately following the effective dates of their respective employment contracts, if those dates are not on the first day of a month.

3. Every officer or employee who is employed by a participating local governmental agency on a permanent and full-time basis on the date on which the participating local governmental agency enters into an agreement to participate in the Program pursuant to paragraph (a) of subsection 1 of NRS 287.025, and every officer or employee who commences employment with that participating local governmental agency after that date, is eligible to participate in the Program on:

(a) The first day of full-time employment of the officer or employee, if that date is the first day of the month; or

(b) The first day of the month immediately following the first day of full-time employment of the officer or employee,

↪ unless that officer or employee is excluded pursuant to sub-subparagraph (III) of subparagraph (2) of paragraph (h) of subsection 2 of NRS 287.043.

4. Every member of the Senate and Assembly is eligible to participate in the Program on:

(a) The first day of the initial term of office of the member, if that date is the first day of the month; or

(b) The first day of the month immediately following the first day of the initial term of office of the member.

5. For each eligible person identified in subsections 1 to 4, inclusive, the Program must receive the notice required pursuant to NRS 287.0439 before the date on which the person is eligible to enroll in the Program. If the Program does not receive the notice required pursuant to NRS 287.0439 before the date on which the person is eligible to enroll in the Program, the person will not be eligible to enroll in the Program until the first day of the month immediately after the Program received the notice required pursuant to NRS 287.0439 for that person.

6. Each person identified in subsections 1, 2 and 3 must enroll or decline coverage in the Program before the end of the first month in which he or she is eligible to enroll in the Program. If the person fails to enroll or decline coverage in the Program before the end of the first month in which he or she is eligible to enroll in the Program, he or she will be automatically enrolled on an individual



basis, without coverage for dependents, in the base plan offered by the Program. Such a person must be allowed to:

(a) Change the plan in which the person is enrolled during the next period of open enrollment; and

(b) Add eligible dependents during the next period of open enrollment or after meeting the applicable terms and conditions of the Program.

7. Notwithstanding the provisions of subsections 1, 3 and 4, if the Board does not, pursuant to NRS 689B.580, elect to exclude the Program from compliance with NRS 689B.340 to 689B.580, inclusive, and if the coverage under the Program is provided by a health maintenance organization authorized to transact insurance in this State pursuant to chapter 695C of NRS, any affiliation period imposed by the Program may not exceed the statutory limit for an affiliation period set forth in NRS 689B.500.

8. As used in this section, “base plan” means the plan designated by the Board as the default plan for the year as described in the Program documents.

Sec. 320. NRS 287.046 is hereby amended to read as follows:

287.046 1. The Office of Finance shall establish an assessment that is to be used to pay for a portion of the cost of premiums or contributions for the Program for persons who were initially hired before January 1, 2012, and have retired with state service.

2. The money assessed pursuant to subsection 1 must be deposited into the Retirees’ Fund and must be based upon a base amount approved by the Legislature each session to pay for a portion of the current and future health and welfare benefits for persons who retired before January 1, 1994, or for persons who retire on or after January 1, 1994, as adjusted by subsection 5.

3. Except as otherwise provided in subsections 7 and 9, the portion to be paid to the Program from the Retirees’ Fund on behalf of such persons must be equal to a portion of the cost for each retiree and the retiree’s dependents who are enrolled in the plan, as defined for each year of the plan by the Program.

4. Except as otherwise provided in subsection 6, the portion of the amount approved by the Legislature as described in subsection 2 to be paid to the Program from the Retirees’ Fund for persons who retired before January 1, 1994, with state service is the base funding level defined for each year of the plan by the Program.

5. Except as otherwise provided in subsection 6, adjustments to the portion of the amount approved by the Legislature as described in subsection 2 to be paid by the Retirees’ Fund for persons who retire on or after January 1, 1994, with state service must be as follows:



(a) For each year of service less than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be reduced by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 75 percent of the base funding level defined by the Legislature.

(b) For each year of service greater than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be increased by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 37.5 percent of the base funding level defined by the Legislature.

6. The portion to be paid to the Program from the Retirees' Fund on behalf of a retired person whose coverage is provided through the TRICARE program, as established pursuant to 32 C.F.R. § 199.17, or provided through the Program by an individual medical plan offered pursuant to the Health Insurance for the Aged Act, 42 U.S.C. §§ 1395 et seq., must be:

(a) For persons who retired before January 1, 1994, the base funding level defined by the Legislature multiplied by 15.

(b) For persons who retired on or after January 1, 1994, the base funding level defined by the Legislature multiplied by the number of years of service of the person, excluding service purchased pursuant to NRS 1A.310 or 286.300, up to a maximum of 20 years of service.

➤ The Board may approve the payment of an additional amount to retired persons described in this subsection that is in excess of the amount paid pursuant to paragraph (a) or (b), or both, for those persons from any money that is available for that purpose.

7. Except as otherwise provided in subsection 8, no money may be paid by the Retirees' Fund on behalf of a retired person who is initially hired by the State:

(a) On or after January 1, 2010, but before January 1, 2012, and who:

(1) Has not participated in the Program on a continuous basis since retirement from such employment; or

(2) Does not have at least 15 years of service, which must include state service and may include local governmental service, unless the retired person does not have at least 15 years of service as a result of a disability for which disability benefits are received under the Public Employees' Retirement System or a retirement program for professional employees offered by or through *the University of Nevada or* the Nevada System of Higher Education, and has participated in the Program on a continuous basis since retirement from such employment.



(b) On or after January 1, 2012. The provisions of this paragraph must not be construed to prohibit a retired person who was hired on or after January 1, 2012, from participating in the Program until the retired person is eligible for coverage under an individual medical plan offered pursuant to the Health Insurance for the Aged Act, 42 U.S.C. §§ 1395 et seq. The retired person shall pay the entire premium or contribution for his or her participation in the Program.

8. The provisions of subsection 7 do not apply to a person who was employed by the State on or before January 1, 2012, who has a break in service and returns to work for the State at the same or another participating state agency after that date, regardless of the length of the break in service, so long as the person did not withdraw from and was eligible to participate in the Public Employees' Retirement System before or during the break in service.

9. If the amount calculated pursuant to subsection 5 or 6 exceeds the actual premium or contribution for the plan of the Program that the retired participant selects, the balance must be credited to the Program Fund.

10. For the purposes of this section:

(a) Credit for service must be calculated in the manner provided by chapter 286 of NRS.

(b) No proration may be made for a partial year of service.

11. The Office of Finance shall agree through the Board with the insurer for billing of remaining premiums or contributions for the retired participant and the retired participant's dependents to the retired participant and to the retired participant's dependents who elect to continue coverage under the Program after the retired participant's death.

Sec. 321. NRS 287.245 is hereby amended to read as follows:

287.245 1. The State may agree with any of its employees, and ~~the Board of Regents of the University of Nevada~~ *each higher education governing body* may agree with any of its employees, to reduce the amount of taxable compensation due to an employee in accordance with a program established pursuant to 26 U.S.C. § 125 by the Board of the Public Employees' Benefits Program.

2. Political subdivisions of this State may agree with any of their employees to reduce the amount of taxable compensation due to an employee in accordance with a program established pursuant to 26 U.S.C. § 125.

3. The employer shall deduct an amount from the taxable compensation of an employee pursuant to the agreement between the employer and the employee.

4. An employer shall not make any reduction in the taxable compensation of an employee pursuant to this section until the



1 program established meets the requirements of 26 U.S.C. § 125 for
2 eligibility.

3 5. The Board of the Public Employees' Benefits Program may
4 establish and administer a program pursuant to 26 U.S.C. § 125. The
5 Board may:

6 (a) Create an appropriate fund for administration of money and
7 other assets resulting from the money deducted pursuant to the
8 program.

9 (b) Delegate to one or more state agencies or institutions of *the*
10 *University of Nevada or* the Nevada System of Higher Education
11 the responsibility for administering the program for their respective
12 employees, including, without limitation:

13 (1) Collection of money deducted;

14 (2) Transmittal of money collected to depositories within the
15 State designated by the Board; and

16 (3) Payment for eligible uses.

17 (c) Contract with a natural person, corporation, institution or
18 other entity, directly or through a state agency or institution of *the*
19 *University of Nevada or* the Nevada System of Higher Education,
20 for services necessary to the administration of the plan, including,
21 without limitation:

22 (1) Consolidated billing;

23 (2) The keeping of records for each participating employee
24 and the program;

25 (3) The control and safeguarding of assets;

26 (4) Programs for communication with employees; and

27 (5) The administration and coordination of the program.

28 6. Each employee who participates in a program established by
29 the Board of the Public Employees' Benefits Program pursuant to
30 this section shall pay a proportionate share of the cost to administer
31 the program as determined by the Board.

32 7. The provisions of this section do not supersede, make
33 inoperative or reduce the benefits provided by the Public
34 Employees' Retirement System or by any other retirement, pension
35 or benefit program established by law.

36 **8. As used in this section, "higher education governing body"**
37 **has the meaning ascribed to it in NRS 396.005.**

38 **Sec. 322.** NRS 287.270 is hereby amended to read as follows:

39 287.270 "Deferred compensation" means income which a state
40 employee or employee of *the University of Nevada or* the Nevada
41 System of Higher Education may legally set aside under the
42 Program, which may consist of one or more plans authorized by 26
43 U.S.C. § 401(a), 401(k), 403(b), 457 or 3121, including, without
44 limitation, a FICA alternative plan, or any other plan authorized by
45 any federal law to reduce taxable compensation or other forms of



1 compensation, and which income, while invested under the
2 Program, is exempt from federal income taxes on the employee's
3 contributions and interest, dividends and capital gains.

4 **Sec. 323.** NRS 287.320 is hereby amended to read as follows:

5 287.320 1. The State may agree with any of its employees,
6 and ~~{the Board of Regents of the University of Nevada}~~ **each higher**
7 **education governing body** may agree with any of its employees, to
8 defer the compensation due to them in accordance with a program
9 approved by the Committee which may consist of one or more plans
10 authorized by 26 U.S.C. § 401(a), 401(k), 403(b), 457 or 3121,
11 including, without limitation, a FICA alternative plan, or any other
12 plan authorized by any federal law to reduce taxable compensation
13 or other forms of compensation. ~~{The Board of Regents}~~ **Each**
14 **higher education governing body** may agree with any of its
15 employees to defer the compensation due to them as authorized by
16 26 U.S.C. § 403(b) without submitting the program to the
17 Committee for its approval. An employee may defer compensation
18 under one or more plans in the Program.

19 2. The employer shall withhold the amount of compensation
20 which an employee has, by such an agreement, directed the
21 employer to defer.

22 3. The employer may invest the withheld money in any
23 investment approved by the Committee or, in the case of deferred
24 compensation under 26 U.S.C. § 403(b) for employees of **the**
25 **University of Nevada or** the Nevada System of Higher Education by
26 the ~~{Board of Regents of the University of Nevada.}~~ **higher**
27 **education governing body.**

28 4. The investments must be underwritten and offered in
29 compliance with all applicable federal and state laws and
30 regulations, and may be offered only by persons who are authorized
31 and licensed under all applicable state and federal regulations.

32 5. All amounts of compensation deferred pursuant to the
33 Program, all property and all rights purchased with those amounts
34 and all income attributable to those amounts, property or rights
35 must, in accordance with 26 U.S.C. § 401(a), 401(k), 403(b), 457(g)
36 or 3121, including, without limitation, a FICA alternative plan, or
37 any other federal law authorizing a plan to reduce taxable
38 compensation or other forms of compensation, as applicable, be held
39 in trust for the exclusive benefit of the participants in the Program
40 and their beneficiaries.

41 6. *As used in this section, "higher education governing body"*
42 *has the meaning ascribed to it in NRS 396.005.*



Sec. 324. NRS 287.325 is hereby amended to read as follows:

287.325 1. The Governor shall appoint the Committee to Administer the Public Employees' Deferred Compensation Program. The Committee must consist of:

(a) Two members who are employed by state agencies whose payrolls are administered by the Division of Human Resource Management of the Department of Administration;

(b) One member who is employed by:

(1) A state agency whose payroll is administered by the Division of Human Resource Management of the Department of Administration; or

(2) A political subdivision that participates in the Program;

(c) One member who is employed by a state agency whose payroll is administered by an entity other than the Division of Human Resource Management of the Department of Administration; and

(d) One member who has retired from employment by the State of Nevada, *the University of Nevada* or the Nevada System of Higher Education.

↪ Each member of the Committee must be a participant in the Program, have participated in the Program for not less than 2 years and have been nominated for membership by five or more persons who have each participated in the Program for not less than 6 months.

2. After their initial terms, members of the Committee serve terms of 4 years or until their successors have been appointed and have qualified.

3. A vacancy on the Committee occurs when a member dies, resigns or becomes ineligible for membership on the Committee. A person becomes ineligible for membership on the Committee when:

(a) The person ceases to be a participant in the Program; or

(b) Except as otherwise provided in this paragraph, the person ceases to have the qualifications for membership required by the paragraph of subsection 1 under which the person was appointed. A member of the Committee who ceases to have those qualifications may serve the remainder of the member's term if that period does not exceed 24 months.

4. The member appointed pursuant to paragraph (d) of subsection 1 must be compensated \$80 per day from money appropriated from the Program pursuant to NRS 287.365 for attending a meeting of the Committee and for acting at the direction of or on behalf of the Committee.

5. For the purposes of this section, "participant in the Program" means a person who is:

(a) Deferring compensation pursuant to the Program;



(b) Maintaining deferred compensation in the Program; or
(c) Receiving payments of deferred compensation pursuant to the Program.

Sec. 325. NRS 287.330 is hereby amended to read as follows:

287.330 1. The Committee shall:

(a) At its first meeting each year, designate one of its members to serve as Chair of the Committee for a term of 1 year or until the Chair's successor has been designated.

(b) Act in such a manner as to promote the collective best interests of the participants in the Program.

2. The Committee may:

(a) Create an appropriate account for administration of money and other assets resulting from compensation deferred pursuant to the Program.

(b) With the approval of the Governor, delegate to one or more state agencies or institutions of *the University of Nevada or* the Nevada System of Higher Education the responsibility for administering the Program for their respective employees, including:

(1) Collection of deferred compensation;

(2) Transmittal of money collected to depositories within the State designated by the Committee; and

(3) Payment of deferred compensation to participating employees.

(c) Contract with a private person, corporation, institution or other entity, directly or through a state agency or institution of *the University of Nevada or* the Nevada System of Higher Education, for services necessary to the administration of the plan, including, without limitation:

(1) Consolidated billing;

(2) The keeping of records for each participating employee and the Program;

(3) The purchase, control and safeguarding of assets;

(4) Programs for communication with employees; and

(5) The administration and coordination of the Program.

3. The Committee and its individual members are not liable for any decision relating to investments if the Committee has:

(a) Obtained the advice of qualified counsel on investments.

(b) Established proper objectives and policies relating to investments.

(c) Discharged its duties regarding the decision:

(1) Solely in the interest of the participants in the Program; and

(2) With the care, skill, prudence and diligence that, under the circumstances existing at the time of the decision, a prudent



1 person who is familiar with similar investments would use while
2 acting in a similar capacity in conducting an enterprise of similar
3 character and purpose.

4 (d) Solicited proposals from qualified providers, record keepers
5 or third-party administrators of plans at least once every 5 years.

6 (e) Monitored the plan and investments to ensure that fees and
7 expenses are reasonable.

8 4. The Committee may delegate administrative duties for
9 the Program to the Executive Officer. The Executive Officer and the
10 staff of the Program shall act to discharge their duties in the
11 collective best interest of the participants of the Program and with
12 the care, skill, prudence and diligence that, under the circumstances
13 existing at the time of the actions, a prudent person who is familiar
14 with similar programs would use while acting in a similar capacity
15 in conducting an enterprise of similar character and purpose.

16 **Sec. 326.** NRS 287.360 is hereby amended to read as follows:

17 287.360 The Program must be established in addition to other
18 retirement, pension and benefit systems established by the State ,
19 *the University of Nevada* or the Nevada System of Higher
20 Education, and does not supersede, make inoperative, or reduce
21 benefits provided by the Public Employees' Retirement System or
22 by any other retirement, pension or benefit program established by
23 law.

24 **Sec. 327.** NRS 287.370 is hereby amended to read as follows:

25 287.370 No appropriated money of the State may be spent in
26 connection with the administration of the Program except as
27 compensation for employees who participated in the administration
28 as part of their regular duties, including without limitation:

29 1. Members of the Committee;

30 2. The Executive Officer and employees of the Program; and

31 3. Employees of the state agency or the institution of *the*
32 *University of Nevada or* the Nevada System of Higher Education
33 selected to administer the Program.

34 **Sec. 328.** NRS 288.042 is hereby amended to read as follows:

35 288.042 "Executive Department" means an agency, board,
36 bureau, commission, department, division, elected officer or any
37 other unit of the Executive Department of State Government. The
38 term includes *the University of Nevada and* the Nevada System of
39 Higher Education.

40 **Sec. 329.** NRS 288.425 is hereby amended to read as follows:

41 288.425 1. "Employee" means a person who:

42 (a) Is employed in the classified service of the State pursuant to
43 chapter 284 of NRS; or

44 (b) Is employed by *the University of Nevada or* the Nevada
45 System of Higher Education in the classified service of the State or



1 is required to be paid in accordance with the pay plan for the
2 classified service of the State.

3 2. The term does not include:

4 (a) A managerial employee whose primary function, as
5 determined by the Board, is to administer and control the business
6 of any agency, board, bureau, commission, department, division,
7 elected officer or any other unit of the Executive Department and
8 who is vested with discretion and independent judgment with regard
9 to the general conduct and control of that agency, board, bureau,
10 commission, department, division, elected officer or unit;

11 (b) An elected official or any person appointed to fill a vacancy
12 in an elected office;

13 (c) A confidential employee;

14 (d) A temporary employee who is employed for a fixed period
15 of 4 months or less;

16 (e) A commissioned officer or an enlisted member of the
17 Nevada National Guard;

18 (f) Any person employed by *the University of Nevada* or the
19 Nevada System of Higher Education who is not in the classified
20 service of the State or required to be paid in accordance with the pay
21 plan of the classified service of the State; or

22 (g) Any person employed by the Public Employees' Retirement
23 System who is required to be paid in accordance with the pay plan
24 of the classified service of the State.

25 **Sec. 330.** NRS 288.480 is hereby amended to read as follows:

26 288.480 1. The Division of Human Resource Management of
27 the Department of Administration shall charge an annual fee to the
28 Executive Department for each employee position that is within a
29 bargaining unit and eligible to be represented by a labor
30 organization. The Executive Department shall pay the annual fee to
31 the Division on or before the date on which the payment is due, as
32 specified by the Division. The Division may specify different due
33 dates for the annual fee for each agency, board, bureau, commission,
34 department, division, elected officer or other unit of the Executive
35 Department of State Government, including, without limitation, *the*
36 *University of Nevada* and the Nevada System of Higher Education.

37 2. The Executive Department shall not impose the annual fee
38 charged pursuant to subsection 1 against its employees.

39 3. The Executive Department may not receive a reduction in
40 the amount of the annual fee charged pursuant to subsection 1 or a
41 refund of any amount of the annual fee based on:

42 (a) A vacancy in an employee position; or

43 (b) Whether an exclusive representative has been designated for
44 the bargaining unit in which the employee position is classified
45 pursuant to NRS 288.515.



4. Any money received from the fees collected pursuant to subsection 1 must be accounted for separately and may be used only by the Division of Human Resource Management to provide support to the Executive Department to carry out the provisions of NRS 288.400 to 288.630, inclusive, including, without limitation, the personnel and operating costs of the Division in providing such support.

5. To carry out the provisions of this section, the Division of Human Resource Management may verify by any reasonable means the number of employee positions in the Executive Department within a bargaining unit that are eligible to be represented by a labor organization or that are represented by a labor organization.

Sec. 331. NRS 289.350 is hereby amended to read as follows:

289.350 1. A person employed and compensated as a member of ~~{the} a police department {of the Nevada System of Higher Education,}~~ *created pursuant to NRS 396.325*, when appointed pursuant to subsection 1 of NRS 396.325 and duly sworn, is a peace officer, but may exercise the officer's power or authority only:

(a) Upon the campuses of *the University of Nevada or* the Nevada System of Higher Education, *as applicable*, including that area to the center line of public streets adjacent to a campus;

(b) When in hot pursuit of a violator leaving such a campus or area;

(c) In or about other grounds or properties of *the University of Nevada or* the Nevada System of Higher Education ~~{}~~, *as applicable*; or

(d) Except as limited by subsection 2, in accordance with interlocal agreements entered into with other law enforcement agencies.

2. An interlocal agreement between ~~{the} a police department {for the Nevada System of Higher Education,}~~ *created pursuant to NRS 396.325* and other law enforcement agencies may allow a peace officer of ~~{the} a police department {of the Nevada System of Higher Education,}~~ *created pursuant to NRS 396.325* to exercise the officer's power or authority:

(a) On any public street that is adjacent to property owned by *the University of Nevada or* the Nevada System of Higher Education ~~{}~~, *as applicable*.

(b) On any property that is consistently used by an organization whose recognition by *the University of Nevada or* the Nevada System of Higher Education, *as applicable*, is a necessary condition for its continued operation.

(c) On any property that is rented or leased by *the University of Nevada or* the Nevada System of Higher Education, *as applicable*,



1 for an event that is approved by *the University of Nevada or* the
2 Nevada System of Higher Education.

3 (d) For mutual assistance specifically agreed upon with the other
4 law enforcement agencies that are parties to the interlocal
5 agreement.

6 **Sec. 332.** NRS 321.001 is hereby amended to read as follows:

7 321.001 1. The Division shall acquire and hold in the name
8 of the State of Nevada all lands and interests in land owned or
9 required by the State except:

10 (a) Lands or interests used or acquired for highway purposes;

11 (b) Lands or interests the title to which is vested in ~~the Board of~~
12 ~~Regents of the University of Nevada;~~ *a higher education*
13 *governing body or the Nevada Office of Higher Education*
14 *Administrative Services;*

15 (c) Offices outside state buildings leased by the Administrator of
16 the State Public Works Division of the Department of
17 Administration for the use of state officers and employees; or

18 (d) Lands or interests used or acquired for the Legislature or its
19 staff,

20 ➤ and shall administer all lands it holds which are not assigned for
21 administration to another state agency.

22 2. If additional land or an interest in land is required for the use
23 of any state agency except the Department of Transportation , *the*
24 *University of Nevada* or the Nevada System of Higher Education,
25 the agency and the Division shall select land for use by the agency.
26 The Division shall obtain the approval of the Administrator of the
27 State Public Works Division of the Department of Administration if
28 the land will be used for a building pursuant to NRS 341.141. The
29 Division shall determine the value of that land and obtain the land or
30 interest by negotiation or, if necessary, by exercising the State's
31 power of eminent domain. Title must be taken in the name of the
32 State of Nevada.

33 3. The Division may acquire and hold land and interests in land
34 required for any public purpose, including the production of public
35 revenue. Title must be taken in the name of the State of Nevada.

36 **4. As used in this section, "higher education governing body"**
37 **has the meaning ascribed to it in NRS 396.005.**

38 **Sec. 333.** NRS 321.610 is hereby amended to read as follows:

39 321.610 1. All applications to the Bureau of Land
40 Management by the State filed on behalf of a state agency except:

41 (a) The Department of Transportation;

42 (b) The *University of Nevada or the* Nevada System of Higher
43 Education; or

44 (c) The Legislature,



1 ➡ to lease or purchase lands pursuant to the provisions of the
2 Recreation and Public Purposes Act of 1926, 44 Stat. 741, as
3 amended, must be submitted to the State Land Registrar for
4 approval.

5 2. The State Land Registrar shall:

6 (a) Examine those applications and determine whether they are
7 in proper form, contain the required information and are
8 accompanied by the required fees;

9 (b) Determine from the records of the Bureau of Land
10 Management whether the lands to be leased or purchased are subject
11 to disposition pursuant to the Act; and

12 (c) File each application the State Land Registrar approves with
13 the Bureau of Land Management.

14 3. If the State Land Registrar denies an application submitted
15 pursuant to subsection 1, the State Land Registrar shall mail a
16 written notice of the denial to the state agency within 7 days after
17 the application is denied. The notice must include a statement that
18 sets forth:

19 (a) The reason the application was denied; and

20 (b) Any conditions that the state agency must satisfy before the
21 State Land Registrar will approve the application.

22 4. If the state agency satisfies the conditions set forth in the
23 notice, the State Land Registrar shall approve the application and
24 file it with the Bureau of Land Management.

25 5. The Department of Transportation, *the University of*
26 *Nevada*, the Nevada System of Higher Education, the Legislature or
27 a political subdivision of the State may request the assistance of the
28 State Land Registrar in filing an application with the Bureau of
29 Land Management to lease or purchase lands pursuant to the
30 provisions of the Recreation and Public Purposes Act of 1926, 44
31 Stat. 741, as amended. The State Land Registrar shall provide the
32 assistance requested, including, but not limited to, an examination of
33 any application submitted to the State Land Registrar for his or her
34 review. The State Land Registrar shall, upon the completion of the
35 examination, return the application to the Department of
36 Transportation, *the University of Nevada*, the Nevada System of
37 Higher Education, the Legislature or the political subdivision for
38 filing with the Bureau of Land Management.

39 **Sec. 334.** NRS 328.500 is hereby amended to read as follows:

40 328.500 1. The Legislature finds that more than 87 percent of
41 the land in the State of Nevada is held by the Federal Government,
42 of which 69 percent is public land, and the actions of federal
43 agencies and instrumentalities involving the public lands and waters
44 appurtenant to and public roads over those lands significantly affect
45 the health, safety, welfare and happiness of the citizens of this State



1 and may interfere with the traditional sovereign functions of the
2 State of Nevada with respect to those lands, waters and roads and
3 their uses.

4 2. Except as otherwise provided in subsection 3, the Attorney
5 General may:

6 (a) On his or her own initiative or at the request of the Governor
7 or any state agency, bring and maintain any action; or

8 (b) Intervene on behalf of or bring and maintain an action on the
9 relation of, any person in any meritorious case,

10 ➤ in any court or before any federal agency if any action or
11 proposed action by a federal agency or instrumentality with respect
12 to the public lands or waters appurtenant to or public roads over
13 those lands impairs or tends to impair the sovereignty of the State of
14 Nevada.

15 3. The Attorney General may bring an action pursuant to this
16 section if:

17 (a) The Legislature has appropriated sufficient money for the
18 operation of the Attorney General's office to permit the Attorney
19 General to bring and maintain the action until its conclusion; or

20 (b) The Attorney General has obtained the permission:

21 (1) From the Legislature, if it is in session, expressed by a
22 concurrent resolution; or

23 (2) If the Legislature is not in session, from the Interim
24 Finance Committee.

25 4. As used in this section, "public lands" means all lands
26 within the exterior boundaries of the State of Nevada except lands:

27 (a) To which title is held by any private person or entity;

28 (b) To which title is held by the State of Nevada, any of its local
29 governments , *the University of Nevada* or the Nevada System of
30 Higher Education;

31 (c) Which are located within congressionally authorized national
32 parks, monuments, national forests or wildlife refuges or which are
33 lands acquired by purchase consented to by the Legislature;

34 (d) Which are controlled by the United States Department of
35 Defense, Department of Energy or Bureau of Reclamation; or

36 (e) Which are held in trust for Indian purposes or are Indian
37 reservations.

38 **Sec. 335.** NRS 333.020 is hereby amended to read as follows:

39 333.020 As used in this chapter, unless the context otherwise
40 requires:

41 1. "Administrator" means the Administrator of the Purchasing
42 Division.

43 2. "Best value" means the greatest possible economy consistent
44 with grades or qualities of supplies, materials, equipment and
45 services that are adapted to the purposes to be served.



3. “Director” means the Director of the Department of Administration.

4. “Invitation to bid” means a written statement which sets forth the requirements and specifications of a contract to be awarded by competitive selection.

5. “Proprietary information” means:

(a) Any trade secret or confidential business information that is contained in a bid or proposal submitted on a particular contract; or

(b) Any other trade secret or confidential business information submitted in a bid or proposal and designated as proprietary by the Administrator.

➤ As used in this subsection, “confidential business information” means any information relating to the amount or source of any income, profits, losses or expenditures of a person, including data relating to cost or price submitted in support of a bid or proposal. The term does not include the amount of a bid or proposal.

6. “Purchasing Division” means the Purchasing Division of the Department of Administration.

7. “Purchasing officer” means a person who is authorized by the Administrator or a using agency to facilitate:

(a) The evaluation of bids or proposals for a contract;

(b) Any negotiations concerning a contract; or

(c) The development, review or approval of a contract.

8. “Request for proposals” means a written statement which sets forth the requirements and specifications of a contract to be awarded by competitive selection.

9. “Trade secret” has the meaning ascribed to it in NRS 600A.030.

10. “Using agencies” means all officers, departments, divisions, institutions, boards, commissions and other agencies in the Executive Department of the State Government which derive their support from public money in whole or in part, whether the money is provided by the State of Nevada, received from the Federal Government or any branch, bureau or agency thereof, or derived from private or other sources. The term does not include the Nevada Rural Housing Authority, the Housing Division of the Department of Business and Industry, local governments as defined in NRS 354.474, conservation districts, irrigation districts, **the University of Nevada** and the Nevada System of Higher Education.

11. “Volunteer fire department” means a volunteer fire department which pays premiums for industrial insurance pursuant to the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS.



Sec. 336. NRS 333.470 is hereby amended to read as follows:

333.470 The *University of Nevada, the* Nevada System of Higher Education, local governments as defined in NRS 354.474, conservation districts and irrigation districts in the State of Nevada may obtain supplies, materials and equipment on a voluntary basis through the facilities of the Purchasing Division.

Sec. 337. NRS 333.700 is hereby amended to read as follows:

333.700 1. Except as otherwise provided in NRS 333.705, a using agency may contract for the services of a person as an independent contractor. Except as otherwise provided by specific statute, each such contract must be awarded pursuant to this chapter.

2. An independent contractor is a natural person, firm or corporation who agrees to perform services for a fixed price according to his, her or its own methods and without subjection to the supervision or control of the other contracting party, except as to the results of the work, and not as to the means by which the services are accomplished.

3. For the purposes of this section:

(a) Travel, subsistence and other personal expenses may be paid to an independent contractor, if provided for in the contract, in such amounts as provided for in the contract. Those expenses must not be paid pursuant to the provisions of NRS 281.160.

(b) There must be no:

(1) Withholding of income taxes by the State;

(2) Coverage for industrial insurance provided by the State;

(3) Participation in group insurance plans which may be available to employees of the State;

(4) Participation or contributions by either the independent contractor or the State to the Public Employees' Retirement System;

(5) Accumulation of vacation leave or sick leave; or

(6) Coverage for unemployment compensation provided by the State if the requirements of NRS 612.085 for independent contractors are met.

4. An independent contractor is not in the classified or unclassified service of the State and has none of the rights or privileges available to officers or employees of the State of Nevada.

5. If the contract is for services for which a license, certificate, registration, permit or other type of authorization is required by law, an independent contractor must hold the appropriate, current authorization that is required by law for the services.

6. Except as otherwise provided in this subsection, each contract for the services of an independent contractor must be in writing. The form of the contract must be first approved by the Attorney General, and except as otherwise provided in subsection 8, an executed copy of each contract must be filed with the Fiscal



1 Analysis Division of the Legislative Counsel Bureau and the Clerk
2 of the State Board of Examiners. The State Board of Examiners may
3 waive the requirements of this subsection in the case of contracts
4 which are for amounts less than \$2,000.

5 7. Except as otherwise provided in subsection 8, and except for
6 contracts entered into by *the University of Nevada or* the Nevada
7 System of Higher Education, each proposed contract with an
8 independent contractor must be submitted to the State Board of
9 Examiners. The contracts do not become effective without the prior
10 approval of the State Board of Examiners, except that the State
11 Board of Examiners may authorize its Clerk or a designee to
12 approve contracts which are:

13 (a) For amounts less than \$100,000; or

14 (b) Entered into by the Nevada Gaming Control Board for the
15 purposes of investigating an applicant for or holder of a gaming
16 license.

17 8. Copies of the following types of contracts need not be filed
18 or approved as provided in subsections 6 and 7:

19 (a) Contracts executed by the Department of Transportation,
20 other than contracts subject to the provisions of NRS 333.705 or
21 408.353.

22 (b) Contracts executed by the State Public Works Division of
23 the Department of Administration or any other state department or
24 agency for any work of construction or major repairs of state
25 buildings, if the contracting process was controlled by the rules of
26 open competitive bidding.

27 (c) Contracts executed by the Housing Division of the
28 Department of Business and Industry.

29 (d) Contracts executed with business entities for any work of
30 maintenance or repair of office machines and equipment.

31 9. The State Board of Examiners shall review each contract
32 submitted for approval pursuant to subsection 7 to consider:

33 (a) Whether sufficient authority exists to expend the money
34 required by the contract; and

35 (b) Whether the service which is the subject of the contract
36 could be provided by a state agency in a more cost-effective
37 manner.

38 ➤ If the contract submitted for approval continues an existing
39 contractual relationship, the State Board of Examiners shall ask each
40 agency to ensure that the State is receiving the services that the
41 contract purports to provide.

42 10. If the services of an independent contractor are contracted
43 for to represent an agency of the State in any proceeding in any
44 court, the contract must require that the independent contractor



1 identify in all pleadings the specific state agency which he or she is
2 representing.

3 11. Except as otherwise provided in this subsection, a contract
4 for the services of an independent contractor may be performed in
5 parts or phases. A contract for the services of an independent
6 contract must not be split into separate contracts for the purpose of
7 avoiding any requirements for competitive bidding.

8 12. The State Board of Examiners may adopt regulations to
9 carry out the provisions of this section.

10 **Sec. 338.** NRS 333.705 is hereby amended to read as follows:

11 333.705 1. Except as otherwise provided in this section, a
12 using agency shall not enter into a contract with a person to provide
13 services for the using agency if:

14 (a) The person is a current employee of an agency of this State;

15 (b) The person is a former employee of an agency of this State
16 and less than 2 years have expired since the termination of the
17 person's employment with the State; or

18 (c) The person is employed by the Department of Transportation
19 for a transportation project that is entirely funded by federal money
20 and the term of the contract is for more than 4 years,

21 ➤ unless the using agency submits a written disclosure to the State
22 Board of Examiners indicating the services to be provided pursuant
23 to the contract and the person who will be providing those services
24 and, after reviewing the disclosure, the State Board of Examiners
25 approves entering into a contract with the person. The requirements
26 of this subsection apply to any person employed by a business or
27 other entity that enters into a contract to provide services for a using
28 agency if the person will be performing or producing the services
29 for which the business or entity is employed.

30 2. The provisions of paragraph (b) of subsection 1 apply to
31 employment through a temporary employment service. A temporary
32 employment service providing employees for a using agency shall
33 provide the using agency with the names of the employees to be
34 provided to the agency. The State Board of Examiners shall not
35 approve a contract pursuant to paragraph (b) of subsection 1 unless
36 the Board determines that one or more of the following
37 circumstances exist:

38 (a) The person provides services that are not provided by any
39 other employee of the using agency or for which a critical labor
40 shortage exists; or

41 (b) A short-term need or unusual economic circumstance exists
42 for the using agency to contract with the person.

43 3. The approval by the State Board of Examiners to contract
44 with a person pursuant to subsection 1:



(a) May occur at the same time and in the same manner as the approval by the State Board of Examiners of a proposed contract pursuant to subsection 7 of NRS 333.700; and

(b) Must occur before the date on which the contract becomes binding on the using agency.

4. A using agency may contract with a person pursuant to paragraph (a) or (b) of subsection 1 without obtaining the approval of the State Board of Examiners if the term of the contract is for less than 4 months and the head of the using agency determines that an emergency exists which necessitates the contract. If a using agency contracts with a person pursuant to this subsection, the using agency shall submit a copy of the contract and a description of the emergency to the State Board of Examiners, which shall review the contract and the description of the emergency and notify the using agency whether the State Board of Examiners would have approved the contract if it had not been entered into pursuant to this subsection.

5. Except as otherwise provided in subsection 9, a using agency shall, not later than 10 days after the end of each fiscal quarter, report to the Interim Finance Committee concerning all contracts to provide services for the using agency that were entered into by the using agency during the fiscal quarter with a person who is a current or former employee of a department, division or other agency of this State.

6. Except as otherwise provided in subsection 9, a using agency shall not contract with a temporary employment service unless the contracting process is controlled by rules of open competitive bidding.

7. Each board or commission of this State and each institution of *the University of Nevada or* the Nevada System of Higher Education that employs a consultant shall, at least once every 6 months, submit to the Interim Finance Committee a report setting forth:

(a) The number of consultants employed by the board, commission or institution;

(b) The purpose for which the board, commission or institution employs each consultant;

(c) The amount of money or other remuneration received by each consultant from the board, commission or institution; and

(d) The length of time each consultant has been employed by the board, commission or institution.

8. A using agency, board or commission of this State and each institution of *the University of Nevada or* the Nevada System of Higher Education:



(a) Shall make every effort to limit the number of contracts it enters into with persons to provide services which have a term of more than 2 years and which are in the amount of less than \$1,000,000; and

(b) Shall not enter into a contract with a person to provide services without ensuring that the person is in active and good standing with the Secretary of State.

9. The provisions of subsections 1 to 6, inclusive, do not apply to:

(a) The *University of Nevada, the* Nevada System of Higher Education or a board or commission of this State.

(b) The employment of professional engineers by the Department of Transportation if those engineers are employed for a transportation project that is entirely funded by federal money.

(c) Contracts in the amount of \$1,000,000 or more entered into:
(1) Pursuant to the State Plan for Medicaid established pursuant to NRS 422.063.

(2) For financial services.

(3) Pursuant to the Public Employees' Benefits Program.

(d) The employment of a person by a business or entity which is a provider of services under the State Plan for Medicaid and which provides such services on a fee-for-service basis or through managed care.

(e) The employment of a former employee of an agency of this State who is not receiving retirement benefits under the Public Employees' Retirement System during the duration of the contract.

Sec. 339. NRS 333A.015 is hereby amended to read as follows:

333A.015 "Board" means:

1. If the using agency that enters into a performance contract is *the University of Nevada or* the Nevada System of Higher Education, ~~the Board of Regents of the University of Nevada;~~ *the relevant higher education governing body, as defined in NRS 396.005;* or

2. For any other using agency that enters into a performance contract, the State Board of Examiners.

Sec. 340. NRS 333A.070 is hereby amended to read as follows:

333A.070 "Using agency" means all officers, departments, institutions, boards, commissions and other agencies in the Executive Department of the State Government which derive their support from public money in whole or in part, whether the money is provided by the State of Nevada, received from the Federal Government or any branch, bureau or agency thereof, or derived from private or other sources. The term includes *the University of*



Nevada and the Nevada System of Higher Education, but does not include the Nevada Rural Housing Authority, local governments as defined in NRS 354.474, conservation districts and irrigation districts.

Sec. 341. NRS 338.018 is hereby amended to read as follows:

338.018 The provisions of NRS 338.013 to 338.018, inclusive, apply to any contract for construction work of *the University of Nevada or* the Nevada System of Higher Education for which the estimated cost exceeds \$100,000 even if the construction work does not qualify as a public work, as defined in NRS 338.010.

Sec. 342. NRS 338.075 is hereby amended to read as follows:

338.075 The provisions of NRS 338.020 to 338.090, inclusive, apply to any contract for construction work of *the University of Nevada or* the Nevada System of Higher Education for which the estimated cost exceeds \$100,000 even if the construction work does not qualify as a public work, as defined in NRS 338.010.

Sec. 343. NRS 341.128 is hereby amended to read as follows:

341.128 1. The Division shall periodically inspect all buildings owned by the State and all physical plant facilities at all institutions owned by the State, except any building or physical plant facility owned by any component of *the University of Nevada or* the Nevada System of Higher Education.

2. Reports of all inspections, including findings and recommendations, must be submitted to the appropriate state agencies and, if the Division finds any matter of serious concern in a report, it shall submit that report to the Legislative Commission.

Sec. 344. NRS 341.1407 is hereby amended to read as follows:

341.1407 1. Except as otherwise provided in subsection 2, the provisions of NRS 341.141 to 341.148, inclusive, apply to a contract for the construction of a building for *the University of Nevada or* the Nevada System of Higher Education only if 25 percent or more of the costs of the building as a whole are paid from money appropriated by this State or from federal money.

2. The provisions of subsection 2 of NRS 341.145 apply to the construction of any building for *the University of Nevada or* the Nevada System of Higher Education.

Sec. 345. NRS 341.141 is hereby amended to read as follows:

341.141 1. The Division shall furnish engineering and architectural services to *the University of Nevada*, the Nevada System of Higher Education and all other state departments, boards or commissions charged with the construction of any building constructed on state property or for which the money is appropriated by the Legislature, except:

(a) Buildings used in maintaining highways;



(b) Improvements, other than nonresidential buildings with more than 1,000 square feet in floor area, made:

(1) In state parks by the State Department of Conservation and Natural Resources; or

(2) By the Department of Wildlife;

(c) Buildings of *the University of Nevada or* the Nevada System of Higher Education:

(1) That are exempted pursuant to subsection 1 of NRS 341.1407; or

(2) To which subsection 1 of NRS 341.1407 applies if the Administrator has delegated his or her authority in accordance with NRS 341.119; and

(d) Buildings on property controlled by other state agencies if the Administrator has delegated his or her authority in accordance with NRS 341.119.

➔ ~~[The Board of Regents of the University of Nevada]~~ *Each higher education governing body* and all other state departments, boards or commissions shall use those services.

2. The services must consist of:

(a) Preliminary planning;

(b) Designing;

(c) Estimating of costs; and

(d) Preparation of detailed plans and specifications.

3. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 346. NRS 341.155 is hereby amended to read as follows:

341.155 *1.* With the concurrence of the Administrator, ~~[the Board of Regents of the University of Nevada]~~ *each higher education governing body* and any other state department, board or commission may enter into agreements with persons, associations or corporations to provide consulting services to determine and plan the construction work that may be necessary to meet the needs of the programs of those agencies. These contracts must be for a term not exceeding 5 years and must provide for payment of a fee for those services not to exceed one-half of 1 percent of the total value of:

~~[1-]~~ *(a)* In the case of *the University of Nevada or* the Nevada System of Higher Education, building construction contracts relating to the construction of a branch or facility within *the University of Nevada or* the Nevada System of Higher Education; and

~~[2-]~~ *(b)* In the case of another state department, board or commission, all construction contracts relating to construction for that agency,

➔ during the term and in the area covered by the contract.



2 **2. As used in this section, “higher education governing body”**
3 **has the meaning ascribed to it in NRS 396.005.**

4 **Sec. 347.** NRS 345.010 is hereby amended to read as follows:

5 345.010 Upon publication of the Statutes of Nevada, the
6 Director of the Legislative Counsel Bureau shall distribute them
7 without charge as follows:

8 1. To each of the judges of the District Court of the United
9 States for the District of Nevada, one copy.

10 2. To the Supreme Court Law Library, two copies.

11 3. To each justice of the Supreme Court, Clerk of the Supreme
12 Court, judge of the Court of Appeals, district judge, county clerk,
13 district attorney, justice of the peace and municipal judge in this
14 State, one copy.

15 4. To each public library in this State, one copy.

16 5. To each library in **the University of Nevada and** the Nevada
17 System of Higher Education, one copy.

18 6. To the Nevada Historical Society, one copy.

19 7. Upon request, to any state, county or municipal officer.

20 **Sec. 348.** NRS 345.020 is hereby amended to read as follows:

21 345.020 The Supreme Court shall distribute each volume of
22 Nevada Reports in book or electronic form without charge as
23 follows:

24 1. To each of the judges of the District Court of the United
25 States for the District of Nevada, one copy.

26 2. The Supreme Court Law Library, two copies.

27 3. To each justice of the Supreme Court, Clerk of the Supreme
28 Court, judge of the Court of Appeals, district judge, district attorney,
29 county clerk, justice of the peace and municipal judge in this State,
30 one copy.

31 4. The Legislative Counsel.

32 5. To each public library in this State, one copy.

33 6. To each library in **the University of Nevada and** the Nevada
34 System of Higher Education, one copy.

35 7. To the Nevada Historical Society, one copy.

36 8. Upon request, to any state, county or municipal officer.

37 **Sec. 349.** NRS 348.120 is hereby amended to read as follows:

38 348.120 “Governing body” means the State Legislature, the
39 State Board of Examiners, any state officer or commission, or other
40 agency or instrumentality of the State authorized to issue public
41 securities in its name and on its behalf, ~~the Board of Regents of the~~
42 ~~University of Nevada,~~ **any higher education governing body, as**
43 **that term is defined in NRS 396.005,** or any city council, city
44 commission, board of supervisors, town council, town board, board
45 of county commissioners, board of trustees of a school district,
board of directors or trustees of any other type of district or



authority, or other local legislative or governing body of another type of public body.

Sec. 350. NRS 348.200 is hereby amended to read as follows:

348.200 "Public body" means this State, *the University of Nevada*, the Nevada System of Higher Education, or a city or town, incorporated or unincorporated, county, school district, other public educational institution, other district, authority or other body corporate and politic comprising a political subdivision of the State or acting on behalf thereof.

Sec. 351. NRS 350.554 is hereby amended to read as follows:

350.554 "Public body" means *the University of Nevada*, the Nevada System of Higher Education, ~~the Board of Regents of the University of Nevada,~~ *each higher education governing body, as defined in NRS 396.005*, any county, city, town, school district, other type district, authority, commission or other type of body corporate and politic constituting a political subdivision of the State, other than the municipality proceeding hereunder.

Sec. 352. NRS 353.007 is hereby amended to read as follows:

353.007 1. Except as otherwise provided in subsection 2, a person shall not enter into a contract with the State of Nevada unless the person is a holder of a state business license issued pursuant to chapter 76 of NRS.

2. A person who is not a holder of a state business license may enter into a contract with the State of Nevada if, pursuant to paragraph (b) of subsection 7 of NRS 76.100, the person is not required to obtain a state business license.

3. The provisions of this section apply to all offices, departments, divisions, boards, commissions, institutions, agencies or any other units of:

(a) The Legislative, Executive and Judicial Departments of the State Government;

(b) *The University of Nevada and the Nevada System of Higher Education*; and

(c) The Public Employees' Retirement System.

Sec. 353. NRS 353.224 is hereby amended to read as follows:

353.224 1. A state agency, other than *the University of Nevada*, the Nevada System of Higher Education ~~and~~ *or a vocational licensing board*, may not change a position for which money has been appropriated or authorized from one occupational group to another, as defined by the index developed pursuant to NRS 284.171, without the approval of the Legislature or of the Interim Finance Committee.

2. All proposed changes of positions from one occupational group to another must be submitted to the Interim Finance Committee. The Interim Finance Committee has 45 days after a



proposal is submitted to its Secretary within which to consider it. Any proposed change of a position from one occupational group to another which is not considered within the 45-day period shall be deemed approved.

3. The Secretary shall place each request submitted pursuant to subsection 2 on the agenda of the next meeting of the Interim Finance Committee.

4. In acting upon a proposed change of position, the Interim Finance Committee shall consider, among other things:

(a) The need for the proposed change; and

(b) The intent of the Legislature in approving the existing classification of positions.

Sec. 354. NRS 353.228 is hereby amended to read as follows:

353.228 1. The Economic Forum impeaneled pursuant to NRS 353.226 shall:

(a) Make such projections for economic indicators as it deems necessary to ensure that an accurate estimate is produced pursuant to paragraph (b);

(b) Provide an accurate estimate of the revenue that will be collected by the State for general, unrestricted uses, and not for special purposes, during the biennium that begins on July 1 of the year following the date on which the Economic Forum was empaneled;

(c) Request such technical assistance as the Economic Forum deems necessary from the Technical Advisory Committee created by NRS 353.229;

(d) On or before December 3 of each even-numbered year, prepare a written report of its projections of economic indicators and estimate of future state revenue required by paragraphs (a) and (b) and present the report to the Governor and the Legislature;

(e) On or before May 1 of each odd-numbered year, prepare a written report confirming or revising the projections of economic indicators and estimate of future state revenue contained in the report prepared pursuant to paragraph (d) and present the report to the Governor and the Legislature; and

(f) Except as otherwise provided in subsection 2, on or before June 10 of each even-numbered year and December 10 of each odd-numbered year, hold a meeting to consider current economic indicators, including, without limitation, employment, unemployment, personal income and any other indicators deemed appropriate by the Economic Forum. Based on current economic indicators, the Economic Forum shall update the status of actual State General Fund revenue compared to the most recent forecast of the Economic Forum. The provisions of this paragraph are not intended to authorize the Economic Forum to make additional



forecasts pursuant to paragraph (b). At the next appropriate meeting of the Interim Finance Committee, the Chair of the Economic Forum or a member of the staff of the Economic Forum shall present to the Interim Finance Committee such matters considered at the meeting of the Economic Forum held pursuant to this paragraph, as the Economic Forum determines appropriate. Any such information presented to the Interim Finance Committee must be made available on the Internet website of the Legislature.

2. If the deadline for preparing a report or holding a meeting as required in subsection 1 falls on a Saturday, Sunday or legal holiday, the deadline is extended to the second business day following the deadline.

3. The Economic Forum may make preliminary projections of economic indicators and estimates of future state revenue at any time. Any such projections and estimates must be made available to the various agencies of the State through the Chief.

4. The Economic Forum may request information directly from any state agency, including, without limitation, *the University of Nevada and* the Nevada System of Higher Education. A state agency, including, without limitation, *the University of Nevada or* the Nevada System of Higher Education, that receives a reasonable request for information from the Economic Forum shall comply with the request as soon as is reasonably practicable after receiving the request.

5. The Economic Forum may request direct testimony from any state agency, including, without limitation, *the University of Nevada and* the Nevada System of Higher Education, at a meeting of the Economic Forum or the Technical Advisory Committee. The head, or a designee thereof, of a state agency, including, without limitation, *the University of Nevada or* the Nevada System of Higher Education, who receives a reasonable request for direct testimony at a meeting of the Economic Forum or the Technical Advisory Committee shall appear at the meeting and shall comply with the request.

6. To carry out its duties pursuant to this section, the Economic Forum may consider any information received from the Technical Advisory Committee and any other information received from independent sources.

7. Copies of the projections and estimates made pursuant to this section must be made available to the public by the Director of the Legislative Counsel Bureau for the cost of reproducing the material.



1 **Sec. 355.** NRS 353.229 is hereby amended to read as follows:
2 353.229 1. The Technical Advisory Committee on Future
3 State Revenues, consisting of ~~seven~~ **eight** members, is hereby
4 created.

5 2. The members of the Committee are the persons serving in
6 the following positions or their designees:

7 (a) The Senate Fiscal Analyst;

8 (b) The Assembly Fiscal Analyst;

9 (c) The Chief of the Budget Division of the Office of Finance;

10 (d) The head of the Research Division of the Employment
11 Security Division of the Department of Employment, Training and
12 Rehabilitation or, if that position ceases to exist, the position
13 deemed by the Administrator of the Employment Security Division
14 to be the equivalent of that position;

15 (e) The Vice Chancellor for Finance of the **University of** Nevada
16 ~~System of Higher Education~~ or a person designated by the Vice
17 Chancellor;

18 (f) **The Assistant Director of the General Services Division of**
19 **the Nevada Office of Higher Education Administrative Services or**
20 **a person designated by the Assistant Director;**

21 (g) The demographer employed pursuant to NRS 360.283; and

22 ~~(g)~~ (h) The Chair of the Committee on Local Government
23 Finance.

24 3. The Committee shall:

25 (a) At its first meeting and annually thereafter elect a Chair and
26 Vice Chair from among its members;

27 (b) Adopt such rules governing the conduct of the Committee as
28 it deems necessary;

29 (c) Hold such number of meetings as may be necessary to carry
30 out the requests made by the Economic Forum pursuant to NRS
31 353.228 in the most timely manner practicable; and

32 (d) Provide all assistance requested by the Economic Forum
33 pursuant to NRS 353.227.

34 4. A majority of the Committee constitutes a quorum and a
35 majority of those members present must concur in any decision.

36 5. Each member of the Committee who is not an officer or
37 employee of the State shall serve without compensation, except that
38 while the member is engaged in the business of the Committee he or
39 she is entitled to receive the per diem allowance and travel expenses
40 provided for state officers and employees generally.

41 6. Each member of the Committee who is an officer or
42 employee of the State must be relieved from duties without loss of
43 his or her regular compensation so that the member may prepare for
44 and attend meetings of the Committee and perform any work
45 necessary to accomplish the tasks assigned to the Committee in the



1 most timely manner practicable. A state agency shall not require an
2 officer or employee who is a member of the Committee to make up
3 the time he or she is absent from work to fulfill his or her
4 obligations as a member, nor shall it require the member to take
5 annual vacation or compensatory time for the absence. Such a
6 member shall serve on the Committee without additional
7 compensation, except that while the member is engaged in the
8 business of the Committee he or she is entitled to receive the per
9 diem allowance and travel expenses provided for state officers and
10 employees generally, which must be paid by the state agency which
11 employs the member.

12 7. The Committee may request information from any state
13 agency. A state agency that receives a reasonable request for
14 information from the Committee shall comply with the request as
15 soon as is reasonably practicable after receiving the request.

16 8. The Director of the Legislative Counsel Bureau and the
17 Budget Division of the Office of Finance shall jointly provide the
18 Committee with:

- 19 (a) Meeting rooms;
- 20 (b) Staff;
- 21 (c) Data processing services; and
- 22 (d) Clerical assistance.

23 **Sec. 356.** NRS 353.253 is hereby amended to read as follows:

24 353.253 1. Every agency, department and institution of the
25 State of Nevada shall deposit all money received from the Federal
26 Government, the counties or other sources, in the State Treasury as
27 provided in NRS 353.250 unless otherwise provided by law. These
28 deposits must be made to work program accounts directly or to other
29 budget accounts.

30 2. Except for the balance in any proprietary fund and
31 appropriated or authorized reserves, any balance remaining at the
32 end of a fiscal year in a budget account of an agency, department or
33 institution of the State of Nevada, whether or not authorized for
34 expenditure under a work program, reverts to the source of funding
35 supporting the agency, department or institution. If that source of
36 funding is federal money or a source of revenue the use of which is
37 restricted by statute, then the balance may be authorized for
38 expenditure under a work program for the subsequent fiscal year in
39 accordance with the provisions of this chapter.

40 3. No provision of this chapter may be construed to authorize
41 or direct the transfer, expenditure or reversion of any money
42 received from the Federal Government contrary to the conditions
43 upon which that money was received or to any federal law or
44 regulation respecting the accountability therefor.



4. This section does not apply to ~~the Board of Regents of the University of Nevada~~ *any higher education governing body* and the Nevada State Museum.

5. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 357. NRS 353.335 is hereby amended to read as follows:

353.335 1. Except as otherwise provided in subsections 5 and 6, a state agency may accept any gift or grant of property or services from any source only if it is included in an act of the Legislature authorizing expenditures of nonappropriated money or, when it is not so included, if it is approved as provided in subsection 2.

2. If:

(a) Any proposed gift or grant is necessary because of an emergency as defined in NRS 353.263 or for the protection or preservation of life or property, the Governor shall take reasonable and proper action to accept it and shall report the action and his or her reasons for determining that immediate action was necessary to the Interim Finance Committee at its first meeting after the action is taken. Action by the Governor pursuant to this paragraph constitutes acceptance of the gift or grant, and other provisions of this chapter requiring approval before acceptance do not apply.

(b) The Governor determines that any proposed gift or grant would be forfeited if the State failed to accept it before the expiration of the period prescribed in paragraph (c), the Governor may declare that the proposed acceptance requires expeditious action by the Interim Finance Committee. Whenever the Governor so declares, the Interim Finance Committee has 15 days after the proposal is submitted to its Secretary within which to approve or deny the acceptance. Any proposed acceptance which is not considered within the 15-day period shall be deemed approved.

(c) The proposed acceptance of any gift or grant does not qualify pursuant to paragraph (a) or (b), it must be submitted to the Interim Finance Committee. The Interim Finance Committee has 45 days after the proposal is submitted to its Secretary within which to consider acceptance. Any proposed acceptance which is not considered within the 45-day period shall be deemed approved.

3. The Secretary shall place each request submitted to the Secretary pursuant to paragraph (b) or (c) of subsection 2 on the agenda of the next meeting of the Interim Finance Committee.

4. In acting upon a proposed gift or grant, the Interim Finance Committee shall consider, among other things:

(a) The need for the facility or service to be provided or improved;

(b) Any present or future commitment required of the State;

(c) The extent of the program proposed; and



(d) The condition of the national economy, and any related fiscal or monetary policies.

5. A state agency may accept:

(a) Gifts, including grants from nongovernmental sources, not exceeding \$20,000 each in value; and

(b) Governmental grants not exceeding \$150,000 each in value, if the gifts or grants are used for purposes which do not involve the hiring of new employees and if the agency has the specific approval of the Governor or, if the Governor delegates this power of approval to the Chief of the Budget Division of the Office of Finance, the specific approval of the Chief.

6. This section does not apply to:

(a) The *University of Nevada and the* Nevada System of Higher Education;

(b) The Department of Health and Human Services while acting as the state health planning and development agency pursuant to paragraph (d) of subsection 2 of NRS 439A.081 or for donations, gifts or grants to be disbursed pursuant to NRS 433.395 or 435.490;

(c) Legal services provided on a pro bono basis by an attorney or law firm engaged in the private practice of law to the State of Nevada or any officer, agency or employee in the Executive Department of the State Government pursuant to a contract for legal services entered into by or at the request of the Attorney General in accordance with NRS 228.112 to 228.1127, inclusive;

(d) Artifacts donated to the Department of Tourism and Cultural Affairs; or

(e) The initial \$250,000 received by the Department of Wildlife pursuant to subsection 1 of NRS 501.3585 as a gift, donation, bequest or devise, or combination thereof, for an unanticipated emergency event, as defined in NRS 501.3585.

Sec. 358. NRS 353.540 is hereby amended to read as follows:

353.540 “State agency” means an agency, bureau, board, commission, department, division or any other unit of the government of this State that is required to submit information to the Chief pursuant to subsection 1 or 6 of NRS 353.210. “State agency” does not include *the University of Nevada or* the Nevada System of Higher Education unless it is anticipated that payments under the agreement will be made with state appropriations.

Sec. 359. NRS 353A.020 is hereby amended to read as follows:

353A.020 1. The Director, in consultation with the Committee and Legislative Auditor, shall adopt a uniform system of internal accounting and administrative control for agencies. The elements of the system must include, without limitation:



(a) A plan of organization which provides for a segregation of duties appropriate to safeguard the assets of the agency;

(b) A plan which limits access to assets of the agency to persons who need the assets to perform their assigned duties;

(c) Procedures for authorizations and recordkeeping which effectively control accounting of assets, liabilities, revenues and expenses;

(d) A system of practices to be followed in the performance of the duties and functions of each agency; and

(e) An effective system of internal review.

2. The Director, in consultation with the Committee and Legislative Auditor, may modify the system whenever the Director considers it necessary.

3. Each agency shall develop written procedures to carry out the system of internal accounting and administrative control adopted pursuant to this section.

4. For the purposes of this section, “agency” does not include:

(a) A board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 654 and 656 of NRS.

(b) The *University of Nevada or the* Nevada System of Higher Education.

(c) The Public Employees’ Retirement System.

(d) The Housing Division of the Department of Business and Industry.

(e) The Colorado River Commission of Nevada.

Sec. 360. NRS 353A.025 is hereby amended to read as follows:

353A.025 1. The head of each agency shall periodically review the agency’s system of internal accounting and administrative control to determine whether it is in compliance with the uniform system of internal accounting and administrative control for agencies adopted pursuant to subsection 1 of NRS 353A.020.

2. On or before July 1 of each even-numbered year, the head of each agency shall report to the Director whether the agency’s system of internal accounting and administrative control is in compliance with the uniform system adopted pursuant to subsection 1 of NRS 353A.020. The reports must be made available for inspection by the members of the Legislature.

3. For the purposes of this section, “agency” does not include:

(a) A board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 654 and 656 of NRS.

(b) The *University of Nevada or the* Nevada System of Higher Education.



1 (c) The Public Employees' Retirement System.
2 (d) The Housing Division of the Department of Business and
3 Industry.

4 (e) The Colorado River Commission of Nevada.

5 4. The Director shall, on or before the first Monday in
6 February of each odd-numbered year, submit a report on the status
7 of internal accounting and administrative controls in agencies to the:

8 (a) Director of the Legislative Counsel Bureau for transmittal to
9 the:

10 (1) Senate Standing Committee on Finance; and

11 (2) Assembly Standing Committee on Ways and Means;

12 (b) Governor; and

13 (c) Legislative Auditor.

14 5. The report submitted by the Director pursuant to subsection
15 4 must include, without limitation:

16 (a) The identification of each agency that has not complied with
17 the requirements of subsections 1 and 2;

18 (b) The identification of each agency that does not have an
19 effective method for reviewing its system of internal accounting and
20 administrative control; and

21 (c) The identification of each agency that has weaknesses in its
22 system of internal accounting and administrative control, and the
23 extent and types of such weaknesses.

24 **Sec. 361.** NRS 353A.045 is hereby amended to read as
25 follows:

26 353A.045 The Administrator shall:

27 1. Report to the Director.

28 2. Develop long-term and annual work plans to be based on the
29 results of periodic documented risk assessments. The annual work
30 plan must list the agencies to which the Division will provide
31 training and assistance and be submitted to the Director for
32 approval. Such agencies must not include:

33 (a) A board created by the provisions of NRS 590.485 and
34 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
35 654 and 656 of NRS.

36 (b) The *University of Nevada or the* Nevada System of Higher
37 Education.

38 (c) The Public Employees' Retirement System.

39 (d) The Housing Division of the Department of Business and
40 Industry.

41 (e) The Colorado River Commission of Nevada.

42 3. Provide a copy of the approved annual work plan to the
43 Legislative Auditor.

44 4. In consultation with the Director, prepare a plan for auditing
45 executive branch agencies for each fiscal year and present the plan



1 to the Committee for its review and approval. Each plan for auditing
2 must:

3 (a) State the agencies which will be audited, the proposed scope
4 and assignment of those audits and the related resources which will
5 be used for those audits; and

6 (b) Ensure that the internal accounting, administrative controls
7 and financial management of each agency are reviewed periodically.

8 5. Perform the audits of the programs and activities of the
9 agencies in accordance with the plan approved pursuant to
10 subsection 5 of NRS 353A.038 and prepare audit reports of his or
11 her findings.

12 6. Review each agency that is audited pursuant to subsection 5
13 and advise those agencies concerning internal accounting,
14 administrative controls and financial management.

15 7. Submit to each agency that is audited pursuant to subsection
16 5 analyses, appraisals and recommendations concerning:

17 (a) The adequacy of the internal accounting and administrative
18 controls of the agency; and

19 (b) The efficiency and effectiveness of the management of the
20 agency.

21 8. Report any possible abuses, illegal actions, errors, omissions
22 and conflicts of interest of which the Division becomes aware
23 during the performance of an audit.

24 9. Adopt the standards of The Institute of Internal Auditors for
25 conducting and reporting on internal audits.

26 10. Consult with the Legislative Auditor concerning the plan
27 for auditing and the scope of audits to avoid duplication of effort
28 and undue disruption of the functions of agencies that are audited
29 pursuant to subsection 5.

30 **Sec. 362.** Chapter 353B of NRS is hereby amended by adding
31 thereto a new section to read as follows:

32 *"University" means the University of Nevada, as described in*
33 *NRS 396.020.*

34 **Sec. 363.** NRS 353B.001 is hereby amended to read as
35 follows:

36 353B.001 As used in this chapter, unless the context otherwise
37 requires, the words and terms defined in NRS 353B.002, 353B.003
38 and 353B.004 *and section 362 of this act* have the meanings
39 ascribed to them in those sections.

40 **Sec. 364.** NRS 353B.005 is hereby amended to read as
41 follows:

42 353B.005 1. There is hereby created a Board of Trustees of
43 the College Savings Plans of Nevada.

44 2. The Board consists of ~~five~~ six members composed of:



(a) The State Treasurer, who may name a designee to serve on the Board on his or her behalf.

(b) The Director of the Office of Finance, who may name a designee to serve on the Board on his or her behalf.

(c) The Chancellor of the ~~System,~~ *University*, who may name a designee to serve on the Board on his or her behalf.

(d) *The Director of the Nevada Office of Higher Education Administrative Services, who may name a designee to serve on the Board on his or her behalf.*

(e) Two members appointed by the Governor. A member who is appointed by the Governor must possess knowledge, skill and experience in the field of:

(1) Accounting;

(2) Finance;

(3) Investment management; or

(4) Marketing.

3. A member of the Board who is appointed by the Governor pursuant to paragraph ~~(d)~~ (e) of subsection 2:

(a) Serves for a term of 4 years or until his or her successor is appointed;

(b) Except as otherwise provided in paragraph (c), may be reappointed by the Governor; and

(c) Except as otherwise provided in this paragraph, may serve for only two terms. A member who is appointed to fill a vacancy in an unexpired term that is not longer than 3 years may serve two terms in addition to the unexpired term.

4. The members of the Board shall elect a Chair of the Board from among their number.

5. Each member of the Board serves without compensation, except that each member is entitled to receive:

(a) The per diem allowance and travel expenses provided for state officers and employees generally; and

(b) Reimbursement for any other actual and reasonable expense incurred while performing his or her duties.

6. As used in this section, the term "College Savings Plans of Nevada" includes the Nevada Higher Education Prepaid Tuition Program set forth in NRS 353B.010 to 353B.190, inclusive, and the Nevada College Savings Program set forth in NRS 353B.300 to 353B.370, inclusive, including the Nevada College Kick Start Program.

Sec. 365. NRS 353B.075 is hereby amended to read as follows:

353B.075 The provisions of NRS 353B.010 to 353B.190, inclusive, must not be construed as a promise or guarantee that a qualified beneficiary:



1 1. Will be admitted to, allowed to continue enrollment at or
2 graduated from a community college or university; or

3 2. Will have the full cost of his or her tuition paid at a
4 community college, college or university that is not a member of the
5 ~~[Nevada] University or System . [of Higher Education.]~~

6 **Sec. 366.** NRS 353B.090 is hereby amended to read as
7 follows:

8 353B.090 1. The Board shall develop the Nevada Higher
9 Education Prepaid Tuition Program for the prepayment of tuition for
10 a qualified beneficiary for:

11 (a) Undergraduate studies at:

12 (1) A university, state college or community college that is a
13 member of the **University or** System;

14 (2) An accredited college or university in this State that is not
15 a member of the **University or** System; or

16 (3) An accredited community college, college or university
17 in another state.

18 (b) If any money paid into the Trust Fund under a prepaid
19 tuition contract is remaining after a qualified beneficiary has
20 graduated with an undergraduate degree, for graduate-level studies
21 at:

22 (1) A university, state college or community college that is a
23 member of the **University or** System;

24 (2) An accredited college or university in this State that is not
25 a member of the **University or** System; or

26 (3) An accredited community college, college or university
27 in another state.

28 2. The amount of the tuition under a prepaid tuition contract
29 must be at a guaranteed rate which is established based on the
30 annual actuarial study required pursuant to NRS 353B.190 for
31 undergraduate studies at a university, state college or community
32 college that is a member of the **University or** System.

33 3. The Board shall adopt regulations for the implementation of
34 the Program, including, without limitation, regulations setting forth
35 requirements for:

36 (a) Residency;

37 (b) A limit on the number of qualified beneficiaries;

38 (c) The termination, withdrawal and transfer of money paid into
39 the Trust Fund;

40 (d) A payment received by the Trust Fund as a matching
41 contribution made as described in NRS 363A.137 or 363B.117 to be
42 credited to the qualified beneficiary on whose behalf the matching
43 contribution was made;

44 (e) The time within which the money paid into the Trust Fund
45 must be used;



(f) Payment schedules; and

(g) A master agreement for the Program.

Sec. 367. NRS 353B.100 is hereby amended to read as follows:

353B.100 1. The Board may enter into a prepaid tuition contract with a purchaser.

2. The Board shall create a prepaid tuition contract in accordance with the provisions of this section.

3. The prepaid tuition contract must include, without limitation:

(a) The terms and conditions under which the purchaser shall remit payment, including, without limitation:

(1) The amount and number of payments that are required from the purchaser on behalf of the qualified beneficiary;

(2) The date upon which each payment is due; and

(3) A provision for a reasonable penalty for a delinquent payment or default.

(b) The name and date of birth of the qualified beneficiary on whose behalf the prepaid tuition contract is drawn.

(c) The terms and conditions under which another person may be substituted as the qualified beneficiary.

(d) The terms and conditions under which the purchaser, or another person designated by the purchaser, may terminate the prepaid tuition contract, receive a refund of money that he or she has paid into the Trust Fund or withdraw money that he or she has paid into the Trust Fund, including, without limitation, a provision allowing the Board to impose a fee that amounts to more than a de minimis penalty.

(e) A provision that the Board shall, after making a reasonable effort to contact the purchaser, report any money that has been deposited under a prepaid tuition contract that has not been terminated and has not been used within a specified period to the State Treasurer for proper disposition.

(f) The number of semesters for which the purchaser is contracting.

(g) A provision that money paid into the Trust Fund under a prepaid tuition contract may be applied toward tuition for an undergraduate degree at:

(1) A university, state college or community college that is a member of the **University or** System;

(2) An accredited college or university in this State that is not a member of the **University or** System; or

(3) An accredited community college, college or university in another state.



➤ Payments authorized pursuant to subparagraph (2) or (3) must not exceed the projected highest payment for tuition for the current academic year at a university that is a member of the **University or System**.

(h) A provision that any money under a prepaid tuition contract that is remaining after a qualified beneficiary has graduated with an undergraduate degree may be applied toward tuition for graduate-level studies at:

(1) A university, state college or community college that is a member of the **University or System**;

(2) An accredited college or university in this State that is not a member of the **University or System**; or

(3) An accredited community college, college or university in another state.

➤ Payments authorized pursuant to this paragraph may not exceed the total amount payable under the prepaid tuition contract of the qualified beneficiary.

(i) Any other term or condition that the Board considers necessary or proper.

Sec. 368. NRS 355.270 is hereby amended to read as follows:

355.270 1. The State Treasurer shall cause to be formed in this State an independent corporation for public benefit, the general purpose of which is to act as a limited partner of limited partnerships or a shareholder or member of limited-liability companies that provide private equity funding to businesses:

(a) Located in this State or seeking to locate in this State; and

(b) Engaged primarily in one or more of the following industries:

(1) Health care and life sciences.

(2) Cyber security.

(3) Homeland security and defense.

(4) Alternative energy.

(5) Advanced materials and manufacturing.

(6) Information technology.

(7) Any other industry that the board of directors of the corporation for public benefit determines will likely meet the targets for investment returns established by the corporation for public benefit for investments authorized by NRS 355.250 to 355.285, inclusive, and comply with sound fiduciary principles.

2. The corporation for public benefit created pursuant to subsection 1 must have a board of directors consisting of:

(a) Five members from the private sector who have at least 10 years of experience in the field of investment, finance or banking and who are appointed for a term of 4 years as follows:

(1) One member appointed by the Governor;



- (2) One member appointed by the Senate Majority Leader;
(3) One member appointed by the Speaker of the Assembly;
(4) One member appointed by the Senate Minority Leader;

and

- (5) One member appointed by the Assembly Minority Leader;

(b) The Chancellor of the *University of Nevada* ~~{System of Higher Education}~~ or his or her designee;

(c) *The Director of the Nevada Office of Higher Education Administrative Services or his or her designee;*

(d) The State Treasurer; and

~~{(d)}~~ (e) With the approval of a majority of the members of the board of directors described in subparagraphs (1), (2) and (3) of paragraph (a), up to 5 additional members who are direct investors in the corporation for public benefit.

3. Vacancies in the appointed positions on the board of directors of the corporation for public benefit created pursuant to subsection 1 must be filled by the appointing authority for the unexpired term.

4. The State Treasurer shall serve as chair of the board of directors of the corporation for public benefit created pursuant to subsection 1.

5. The members of the board of directors of the corporation for public benefit must serve without compensation but are entitled to be reimbursed for actual and necessary expenses incurred in the performance of their duties, including, without limitation, travel expenses.

6. A member of the board of directors of the corporation for public benefit created pursuant to subsection 1 must not have an equity interest in any:

(a) External asset manager or venture capital or private equity investment firm contracting with the board pursuant to NRS 355.275; or

(b) Business which receives private equity funding pursuant to NRS 355.250 to 355.285, inclusive.

7. The board of directors of the corporation for public benefit created pursuant to subsection 1 shall:

(a) Comply with the provisions of chapter 281A of NRS.

(b) Meet at least quarterly and conduct any meetings of the board of directors in accordance with chapter 241 of NRS.

(c) Review the performance of all external asset managers and venture capital and private equity investment firms contracting with the corporation for public benefit pursuant to NRS 355.275.

(d) On or before December 1 of each year, provide an annual report to the Governor and the Director of the Legislative Counsel



Bureau for transmission to the next session of the Legislature, if the report is submitted in an even-numbered year or to the Legislative Commission, if the report is submitted in an odd-numbered year. The report must include, without limitation:

(1) An accounting of all money received and expended by the corporation for public benefit, including, without limitation, any matching grant funds, gifts or donations; and

(2) The name and a brief description of all businesses receiving an investment of money pursuant to the provisions of NRS 355.250 to 355.285, inclusive.

Sec. 369. NRS 360.752 is hereby amended to read as follows:

360.752 1. A person who intends to locate or expand a business in this State may apply to the Office of Economic Development pursuant to this section for a partial abatement of the tax imposed on the new or expanded business pursuant to chapter 361 of NRS.

2. The Office of Economic Development shall approve an application for a partial abatement pursuant to this section if the Office makes the following determinations:

(a) The business is in one or more of the industry sectors for economic development promoted, identified or otherwise approved by the Governor's Workforce Investment Board described in NRS 232.935.

(b) The business is consistent with:

(1) The State Plan for Economic Development developed by the Executive Director of the Office of Economic Development pursuant to subsection 2 of NRS 231.053; and

(2) Any guidelines adopted by the Executive Director of the Office to implement the State Plan for Economic Development.

(c) Not later than 1 year after the date on which the application was received by the Office, the applicant has executed an agreement with the Office which must:

(1) Comply with the requirements of NRS 360.755;

(2) Require the business to submit to the Department the reports required by paragraph (c) of subsection 1 of NRS 218D.355;

(3) State the agreed terms of the partial abatement, which must comply with the requirements of subsection 4;

(4) State the date on which the abatement becomes effective, as agreed to by the applicant and the Office, which must not be earlier than the date on which the Office received the application and not later than 1 year after the date on which the Office approves the application;

(5) State that the business will, after the date on which a certificate of eligibility for the abatement is issued pursuant to subsection 5, continue in operation in this State for a period



specified by the Office, which must be at least 5 years, and will continue to meet the eligibility requirements set forth in this subsection; and

(6) Bind the successors in interest of the business for the specified period.

(d) The business is registered pursuant to the laws of this State or the applicant commits to obtain a valid business license and all other permits required by the county, city or town in which the business operates.

(e) The business does not receive:

(1) Any funding from a governmental entity, other than any private activity bonds as defined in 26 U.S.C. § 141; or

(2) Any real or personal property from a governmental entity at no cost or at a reduced cost.

(f) The average hourly wage that will be paid by the business to its new employees in this State is at least 100 percent of the average statewide hourly wage or the average countywide hourly wage, whichever is less, as established by the Employment Security Division of the Department of Employment, Training and Rehabilitation on July 1 of each fiscal year.

(g) The business will offer a health insurance plan for all full-time employees that includes an option for health insurance coverage for dependents of those employees, or will abide by all applicable provisions of the Patient Protection and Affordable Care Act, Public Law 111-148, or both, and the benefits the business offers to its employees in this State will meet the minimum requirements for benefits established by the Office.

(h) The business meets the following requirements:

(1) The business makes a capital investment of at least \$1,000,000 in a program of the University of Nevada, Reno, the University of Nevada, Las Vegas, or the Desert Research Institute to be used in support of research, development or training related to the field of endeavor of the business.

(2) The business will employ 15 or more full-time employees for the duration of the abatement.

(3) The business will employ two or more graduate students from the program in which the capital investment is made on a part-time basis during years 2 through 5, inclusive, of the abatement.

(4) The business submits with its application for a partial abatement:

(I) A letter of support from the institution in which the capital investment is made, which is signed by the chief administrative officer of the institution and the director or chair of the program or the appropriate department, and which includes, without limitation, a summary of the financial and other resources



1 the business will provide to the program and an agreement that the
2 institution will provide to the Office periodic reports, at such times
3 and containing such information as the Office may require,
4 regarding the use of those resources; and

5 (II) A letter of support which is signed by the chair of the
6 board of directors of the regional economic development authority
7 within whose jurisdiction the institution is located and which
8 includes, without limitation, a summary of the role the business will
9 play in diversifying the economy and, if applicable, in achieving the
10 broader goals of the regional economic development authority for
11 economic development and diversification.

12 (i) In lieu of meeting the requirements of paragraph (h), the
13 business meets the following requirements:

14 (1) The business makes a capital investment of at least
15 \$500,000 in ~~the Nevada State College or~~ an institution of the
16 Nevada System of Higher Education ~~other than those set forth in~~
17 ~~subparagraph (1) of paragraph (h),~~ to be used in support of college
18 certification or in support of research or training related to the field
19 of endeavor of the business.

20 (2) The business will employ 15 or more full-time employees
21 for the duration of the abatement.

22 (3) The business will employ two or more students from the
23 college or institution in which the capital investment is made on a
24 full-time basis during years 2 through 5, inclusive, of the abatement.

25 (4) The business submits with its application for a partial
26 abatement:

27 (I) A letter of support from the college or institution in
28 which the capital investment is made, which is signed by the chief
29 administrative officer of the college or institution and which
30 includes, without limitation, a summary of the financial and other
31 resources the business will provide to the program and an agreement
32 that the college or institution will provide to the Office periodic
33 reports, at such times and containing such information as the Office
34 may require, regarding the use of those resources; and

35 (II) A letter of support which is signed by the chair of the
36 board of directors of the regional economic development authority
37 within whose jurisdiction the college or institution is located and
38 which includes, without limitation, a summary of the role the
39 business will play in diversifying the economy and, if applicable, in
40 achieving the broader goals of the regional economic development
41 authority for economic development and diversification.

42 3. Notwithstanding the provisions of subsection 2, the Office
43 of Economic Development:



(a) Shall furnish to the board of county commissioners of each affected county a copy of each application for a partial abatement pursuant to this section.

(b) Shall not consider an application for a partial abatement pursuant to this section unless the Office has requested a letter of acknowledgment of the request for the abatement from any affected county, school district, city or town.

(c) Shall not approve an application for a partial abatement pursuant to this section unless the abatement is approved or deemed approved as described in this paragraph. The board of county commissioners of each affected county must approve or deny the application not later than 30 days after the board of county commissioners receives a copy of the application as described in paragraph (a). If the board of county commissioners does not approve or deny the application within 30 days after the board of county commissioners receives a copy of the application, the application shall be deemed approved.

(d) May, if the Office determines that such action is necessary add additional requirements that a business must meet to qualify for a partial abatement pursuant to this section.

4. If the Office of Economic Development approves an application for a partial abatement pursuant to this section:

(a) The total amount of the abatement must not exceed;

(1) Fifty percent of the amount of the taxes imposed on the personal property of the business pursuant to chapter 361 of NRS during the period of the abatement; or

(2) Fifty percent of the amount of the capital investment by the business,

↳ whichever amount is less;

(b) The duration of the abatement must be for 5 years; and

(c) The abatement applies only to the business for which the abatement was approved pursuant to this section and the property used in connection with that business.

5. If the Office of Economic Development approves an application for a partial abatement pursuant to this section, the Office shall immediately forward a certificate of eligibility for the abatement to:

(a) The Department;

(b) The Nevada Tax Commission; and

(c) If the partial abatement is from the property tax imposed pursuant to chapter 361 of NRS, the county treasurer of the county in which the business will be located.

6. An applicant for a partial abatement pursuant to this section or an existing business whose partial abatement is in effect shall, upon the request of the Executive Director of the Office of



1 Economic Development, furnish the Executive Director with copies
2 of all records necessary to verify that the applicant meets the
3 requirements of subsection 2.

4 7. If an applicant for a partial abatement pursuant to this
5 section fails to execute the agreement described in paragraph (c) of
6 subsection 2 within 1 year after the date on which the application
7 was received by the Office, the applicant shall not be approved for a
8 partial abatement pursuant to this section unless the applicant
9 submits a new application.

10 8. If a business whose partial abatement has been approved
11 pursuant to this section and is in effect ceases to meet the
12 requirements set forth in subsection 2 or ceases operation before the
13 time specified in the agreement described in paragraph (c) of
14 subsection 2:

15 (a) The business shall repay to the county treasurer the amount
16 of the partial abatement that was allowed pursuant to this section
17 before the failure of the business to comply unless the Nevada Tax
18 Commission determines that the business has substantially complied
19 with the requirements of this section. Except as otherwise provided
20 in NRS 360.232 and 360.320, the business shall, in addition to the
21 amount of the partial abatement required to be paid pursuant to this
22 subsection, pay interest on the amount due at the rate most recently
23 established pursuant to NRS 99.040 for each month, or portion
24 thereof, from the last day of the month following the period for
25 which the payment would have been made had the partial abatement
26 not been approved until the date of payment of the tax.

27 (b) The applicable institution of higher education is entitled to
28 keep the entire capital investment made by the business in that
29 institution.

30 9. A county treasurer:

31 (a) Shall deposit any money that he or she receives pursuant to
32 subsection 8 in one or more of the funds established by a local
33 government of the county pursuant to NRS 354.6113 or 354.6115;
34 and

35 (b) May use the money deposited pursuant to paragraph (a) only
36 for the purposes authorized by NRS 354.6113 and 354.6115.

37 10. The Office of Economic Development:

38 (a) Shall adopt regulations relating to the minimum level of
39 benefits that a business must provide to its employees to qualify for
40 a partial abatement pursuant to this section; and

41 (b) May adopt such regulations as the Office determines to be
42 necessary to carry out the provisions of this section.

43 11. The Nevada Tax Commission:



(a) Shall adopt regulations regarding any security that a business is required to post to qualify for a partial abatement pursuant to this section; and

(b) May adopt such other regulations as the Nevada Tax Commission determines to be necessary to carry out the provisions of this section.

12. An applicant for a partial abatement pursuant to this section who is aggrieved by a final decision of the Office of Economic Development may petition for judicial review in the manner provided in chapter 233B of NRS.

13. Except as otherwise provided in this subsection, as used in this section, "capital investment" includes, without limitation, an investment of real or personal property, money or other assets by a business in an institution of *the University of Nevada or* the Nevada System of Higher Education. The Office of Economic Development may, by regulation, specify the types of real or personal property or assets that are included within the definition of "capital investment."

Sec. 370. NRS 361.098 is hereby amended to read as follows:

361.098 1. All real and personal property owned by a charitable foundation established by ~~the Board of Regents of the University of Nevada~~ *a higher education governing body* is exempt from taxation, but the property must be taxed when it is used for any purpose other than carrying out the legitimate functions of the foundation.

2. *As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

Sec. 371. NRS 361.099 is hereby amended to read as follows:

361.099 All real and personal property which is leased or rented to *the University of Nevada or* the Nevada System of Higher Education for total consideration which is less than 10 percent of the fair market rental or lease value of the property is hereby deemed to be used for an educational purpose and is exempt from taxation.

Sec. 372. NRS 361.603 is hereby amended to read as follows:

361.603 1. Any local government , *the University of Nevada* or the Nevada System of Higher Education may, in the manner provided in this section, acquire property held in trust by the treasurer of the county in which the local government or any part of the *University or* System is located by virtue of any deed made pursuant to the provisions of this chapter.

2. Whenever any local government , *the University of Nevada* or the Nevada System of Higher Education determines that a public purpose may be served by the acquisition of the property, it may make application to the board of county commissioners for permission to acquire the property. If the board of county commissioners approves the application, it shall direct the county



1 treasurer to give notice of intent to sell to the last known owner or
2 heirs or devisees of the last known owner of the property in the
3 manner provided by law.

4 3. The last known owner may, within 90 days after the notice,
5 redeem the property by paying to the treasurer the amount of the
6 delinquent taxes, plus penalties, interest and costs.

7 4. If the owner fails to redeem the property within the time
8 allowed, the county treasurer shall transfer the property to the local
9 government or the ~~{Board of Regents of the University of Nevada}~~
10 *relevant higher education governing body* upon receiving from it
11 the amount of the delinquent taxes, except as otherwise provided in
12 subsection 5.

13 5. If property is so transferred to a local government for street,
14 sewer or drainage uses, for use in a program for the rehabilitation of
15 abandoned residential properties established by the local
16 government pursuant to chapter 279B of NRS, or for use as open-
17 space real property as designated in a city, county or regional
18 comprehensive plan, the delinquent taxes need not be paid.

19 6. As used in this section ~~{“open-space”}~~ :

20 (a) *“Higher education governing body” has the meaning*
21 *ascribed to it in NRS 396.005.*

22 (b) *“Open-space real property” has the meaning ascribed to it in*
23 *NRS 361A.040.*

24 **Sec. 373.** NRS 361A.286 is hereby amended to read as
25 follows:

26 361A.286 1. The deferred tax and penalty assessed pursuant
27 to NRS 361A.280 and 361A.283 are a perpetual lien until paid as
28 provided in NRS 361.450. If the property continues to be used
29 exclusively for agricultural use or approved open-space use for 7
30 fiscal years after the date of attachment, the lien for that earliest year
31 expires. The lien is for an undetermined amount until the property is
32 converted and the amount is determined pursuant to NRS 361A.280.
33 Any liens calculated and recorded before July 1, 1989, for property
34 that had not been converted shall be deemed to have expired on that
35 date.

36 2. If agricultural or open-space real property receiving
37 agricultural or open-space use assessment is sold or transferred to an
38 ownership making it exempt from taxation ad valorem, any such
39 liens for deferred taxes must, unless the property is sold or
40 transferred to *the University of Nevada* or the Nevada System of
41 Higher Education, a school district or another local governmental
42 entity, be paid in full before the transfer of ownership if the property
43 is converted to another use.



3. The provisions of this section do not apply to any portion of agricultural or open-space real property if the deferred tax and any penalty have been paid pursuant to NRS 361A.265.

4. Each year, the county assessor must record a list of parcel numbers and owner's names for all parcels on which a lien exists pursuant to subsection 1.

Sec. 374. NRS 368A.200 is hereby amended to read as follows:

368A.200 1. Except as otherwise provided in this section, there is hereby imposed an excise tax on admission to any facility in this State where live entertainment is provided and on the charge for live entertainment provided by an escort at one or more locations in this State. The rate of the tax is:

(a) Except as otherwise provided in paragraph (b), for admission to a facility in this State where live entertainment is provided, 9 percent of the admission charge to the facility.

(b) For live entertainment provided by an escort who is escorting one or more persons at a location or locations in this State, 9 percent of the total amount, expressed in terms of money, of consideration paid for the live entertainment provided by the escort.

2. Amounts paid for:

(a) Admission charges collected and retained by a nonprofit religious, charitable, fraternal or other organization that qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c), or by a nonprofit corporation organized or existing under the provisions of chapter 82 of NRS, are not taxable pursuant to this section, only if the number of tickets to the live entertainment which are offered for sale or other distribution to patrons, either directly or indirectly through a partner, subsidiary, client, affiliate or other collaborator, is less than 7,500.

(b) Gratuities directly or indirectly remitted to persons employed at a facility where live entertainment is provided are not taxable pursuant to this section.

(c) Fees imposed, collected and retained by an independent financial institution in connection with the use of credit cards or debit cards to pay the admission charge to a facility where live entertainment is provided are not taxable pursuant to this section. As used in this paragraph, "independent financial institution" means a financial institution that is not the taxpayer or an owner or operator of the facility where the live entertainment is provided or an affiliate of any of those persons.

3. The tax imposed by this section must be added to and collected from the purchaser at the time of purchase, whether or not the admission for live entertainment is purchased for resale.

4. The tax imposed by subsection 1 does not apply to:



(a) Live entertainment that this State is prohibited from taxing under the Constitution, laws or treaties of the United States or the Nevada Constitution.

(b) Live entertainment that is governed by the Nevada Interscholastic Activities Association pursuant to chapter 385B of NRS or is provided or sponsored by an elementary school, junior high school, middle school or high school, if only pupils or faculty provide the live entertainment.

(c) An athletic contest, event, tournament or exhibition provided by an institution of *the University of Nevada* or the Nevada System of Higher Education, if students of such an institution are contestants in the contest, event, tournament or exhibition.

(d) Live entertainment that is provided by or entirely for the benefit of a nonprofit religious, charitable, fraternal or other organization that qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c), or a nonprofit corporation organized or existing under the provisions of chapter 82 of NRS, only if the number of tickets to the live entertainment which are offered for sale or other distribution to patrons, either directly or indirectly through a partner, subsidiary, client, affiliate or other collaborator, is less than 7,500.

(e) Any boxing contest or exhibition governed by the provisions of chapter 467 of NRS.

(f) Live entertainment that is not provided at a licensed gaming establishment if the facility in which the live entertainment is provided has a maximum occupancy of less than 200 persons.

(g) Live entertainment that is provided at a licensed gaming establishment that is licensed for less than 51 slot machines, less than 6 games, or any combination of slot machines and games within those respective limits, if the facility in which the live entertainment is provided has a maximum occupancy of less than 200 persons.

(h) Live entertainment that is provided at a trade show.

(i) Music performed by musicians who move constantly through the audience if no other form of live entertainment is afforded to the patrons.

(j) Live entertainment that is provided at a licensed gaming establishment at private meetings or dinners attended by members of a particular organization or by a casual assemblage if the purpose of the event is not primarily for entertainment.

(k) Live entertainment that is provided in the common area of a shopping mall, unless the entertainment is provided in a facility located within the mall.

(l) Food and product demonstrations provided at a shopping mall, a craft show or an establishment that sells grocery products, housewares, hardware or other supplies for the home.



(m) Live entertainment that is incidental to an amusement ride, a motion simulator or a similar digital, electronic, mechanical or electromechanical attraction. For the purposes of this paragraph, live entertainment shall be deemed to be incidental to an amusement ride, a motion simulator or a similar digital, electronic, mechanical or electromechanical attraction if the live entertainment is:

(1) Not the predominant element of the attraction; and

(2) Not the primary purpose for which the public rides, attends or otherwise participates in the attraction.

(n) A race scheduled at a race track in this State and sanctioned by the National Association for Stock Car Auto Racing, if two or more such races are held at that race track during the same calendar year.

(o) An athletic contest, event or exhibition conducted by a professional team based in this State if the professional team based in this State is a participant in the contest, event or exhibition.

(p) Live entertainment that is provided by or entirely for the benefit of a governmental entity.

5. As used in this section:

(a) “Affiliate” has the meaning ascribed to it in NRS 463.0133.

(b) “Maximum occupancy” means, in the following order of priority:

(1) The maximum occupancy of the facility in which live entertainment is provided, as determined by the State Fire Marshal or the local governmental agency that has the authority to determine the maximum occupancy of the facility;

(2) If such a maximum occupancy has not been determined, the maximum occupancy of the facility designated in any permit required to be obtained in order to provide the live entertainment; or

(3) If such a permit does not designate the maximum occupancy of the facility, the actual seating capacity of the facility in which the live entertainment is provided.

(c) “Operator” includes, without limitation, a person who operates a facility where live entertainment is provided or who presents, produces or otherwise provides live entertainment.

Sec. 375. NRS 372.287 is hereby amended to read as follows:

372.287 There are exempted from the taxes imposed by this chapter the gross receipts from the sale of textbooks sold within the University of Nevada *and the Nevada System of Higher Education.*

Sec. 376. NRS 374.292 is hereby amended to read as follows:

374.292 There are exempted from the taxes imposed by this chapter the gross receipts from the sale of textbooks sold within *the University of Nevada and the Nevada System of Higher Education.*



1 **Sec. 377.** NRS 375A.705 is hereby amended to read as
2 follows:

3 375A.705 1. All money received by the Board of Regents of
4 the University of Nevada pursuant to paragraph (b) of subsection 1
5 of NRS 375A.700 must be accounted for separately in the
6 Endowment Fund of the Nevada System of Higher Education.

7 2. The money in the Estate Tax Account must be invested
8 pursuant to the same investment policies as the other money in the
9 Endowment Fund is invested. All interest and income earned on the
10 money in the Account must be credited to the Account.

11 3. ~~{The Board of Regents of the University of Nevada}~~ *Any*
12 *higher education governing body or the Nevada Office of Higher*
13 *Education Administrative Services* may, upon approval by the
14 Legislature when in regular session or by the Interim Finance
15 Committee when the Legislature is not in regular session, expend
16 any money in the Estate Tax Account.

17 4. *As used in this section, “higher education governing body”*
18 *has the meaning ascribed to it in NRS 396.005.*

19 **Sec. 378.** NRS 375A.710 is hereby amended to read as
20 follows:

21 375A.710 1. There is hereby created the Committee on the
22 Estate Tax Account for the Endowment of the Nevada System of
23 Higher Education, composed of:

24 (a) ~~{Two members}~~ *One member* of the Board of Regents of the
25 University of Nevada, appointed by the Chair of the Board with the
26 approval of the other members.

27 (b) *One member of a higher education governing body of a*
28 *state college or community college, appointed by the Director of*
29 *the Nevada Office of Higher Education Administrative Services*
30 *with the approval of the other higher education governing bodies.*

31 (c) Two members ~~{who are administrators}~~, *one of whom is an*
32 *administrator* of the *University of Nevada*, ~~{System of Higher~~
33 ~~Education,}~~ appointed by the Chancellor of the *University of*
34 *Nevada* ~~{System}~~, *and one of whom is an administrator of the*
35 *Nevada System of Higher Education, appointed by the Director of*
36 *the Nevada Office of Higher Education* ~~{}~~ *Administrative Services.*

37 ~~{(e)}~~ (d) Two members ~~{who are members}~~, *one of whom is a*
38 *member* of the faculty of *the University of Nevada and one of*
39 *whom is a member of the faculty of* the Nevada System of Higher
40 Education, appointed by the faculty ~~{}~~ *of the University and the*
41 *System respectively.*

42 ~~{(d)}~~ (e) One member who is a student, appointed by the
43 ~~{student governments of the}~~ Nevada ~~{System of Higher Education.}~~
44 *Student Alliance.*



2. If any authority having the power to appoint a member of the Committee ceases to exist, the Governor shall exercise that power in a manner consistent with the intent of this section.

3. The member of the Committee who is appointed pursuant to paragraph ~~[(d)]~~ (e) of subsection 1 shall serve a term of 1 year. All other members of the Committee shall serve terms of 3 years.

4. The Committee shall make recommendations to ~~the Board of Regents of the University of Nevada~~ **each higher education governing body** concerning the expenditure of the money in the Estate Tax Account in the Endowment Fund.

5. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 379. NRS 375B.410 is hereby amended to read as follows:

375B.410 The money collected pursuant to the provisions of this chapter must be used only for the purpose of education, to be divided between the common schools and the **University of Nevada and Nevada System of Higher Education** for their support and maintenance.

Sec. 380. NRS 378.087 is hereby amended to read as follows:

378.087 1. The State Library, Archives and Public Records Administrator shall establish a program to provide grants of money to the public libraries of this State for the purchase or acquisition of books, library materials and computer databases. The money must be provided by legislative appropriation, accounted for separately and administered by the State Library, Archives and Public Records Administrator.

2. The State Library, Archives and Public Records Administrator shall, within the limits of legislative appropriation, provide such grants based on the following:

(a) If the requesting library has a budget for materials which is \$10,000 or less, the requesting library is eligible to receive a base grant of \$1,000, plus a matching grant in an amount that is not more than 75 percent of its budget for materials.

(b) If the requesting library has a budget for materials which is more than \$10,000 but less than \$75,000, the requesting library is eligible to receive a base grant of \$5,000, plus a matching grant in an amount that is not more than 50 percent of its budget for materials.

(c) If the requesting library has a budget for materials which is \$75,000 or more but less than \$150,000, the requesting library is eligible to receive a base grant of \$10,000, plus a matching grant in an amount that is not more than 33 1/3 percent of its budget for materials.



(d) If the requesting library has a budget for materials which is \$150,000 or more but less than \$500,000, the requesting library is eligible to receive a base grant of \$15,000, plus a matching grant in an amount that is not more than 25 percent of its budget for materials.

(e) If the requesting library has a budget for materials which is \$500,000 or more, the requesting library is eligible to receive a base grant of \$25,000, plus a matching grant in the first year it receives a grant pursuant to this paragraph in an amount that is not more than 10 percent of its budget for materials. The amount of the matching grant provided in any year may be increased by 10 percent in each succeeding year, except that in no event may the matching grant provided in any year exceed 25 percent of the library's budget for materials in that year.

3. The State Library, Archives and Public Records Administrator shall adopt such regulations as are necessary to:

(a) Establish a procedure pursuant to which a public library may apply to receive a grant pursuant to this section;

(b) Determine the eligibility of a public library to receive such a grant; and

(c) Determine the exact amount of a grant to be awarded to a public library.

4. Money granted pursuant to this section must not supplant or cause to be reduced any other source of funding for a public library and must be used exclusively by the public library to purchase or acquire books, library materials and computer databases.

5. For the purposes of this section, "public library" does not include a library operated within *the University of Nevada or* the Nevada System of Higher Education.

Sec. 381. NRS 378.160 is hereby amended to read as follows:
378.160 As used in NRS 378.150 to 378.210, inclusive:

1. "Center" means the State Publications Distribution Center created by NRS 378.170.

2. "Depository library" means a library with which the Center has entered into an agreement pursuant to NRS 378.190.

3. "Local government" means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to chapters 244A, 318, 318A, 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to 450.750, inclusive, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. The term includes the Nevada Rural Housing Authority.



4. “Publication” includes any information in any format or medium that is produced pursuant to the authority of or at the total or partial expense of a state agency or local government, is required by law to be distributed by a state agency or local government, or is distributed publicly by a state agency or local government outside that state agency or local government. The term does not include:

- (a) Nevada Revised Statutes with annotations;
- (b) Nevada Reports;
- (c) Bound volumes of the Statutes of Nevada;
- (d) Items published by the University of Nevada Press and other information disseminated by *the University of Nevada or* the Nevada System of Higher Education which is not designed for public distribution;
- (e) Official state records scheduled for retention and disposition pursuant to NRS 239.080; or
- (f) Records of a local government which have been scheduled for disposition pursuant to NRS 239.124 or retention pursuant to NRS 239.125.

5. “State agency” includes the Legislature, constitutional officers or any department, division, bureau, board, commission or agency of the State of Nevada.

Sec. 382. NRS 378.250 is hereby amended to read as follows:

378.250 The State Library, Archives and Public Records Administrator may:

1. Receive into the archives material from a state agency if the State Library, Archives and Public Records Administrator finds that it is of historical value.

2. With the approval of the Committee to Approve Schedules for the Retention and Disposition of Official State Records created pursuant to NRS 239.073, return to the state agency from which it was received, material in the archives which the State Library, Archives and Public Records Administrator finds is not of historical value.

3. Receive into the archives material which has been directed to be deposited in the archives by an order or resolution of the governing body of a local governmental entity, if the State Library, Archives and Public Records Administrator finds that it is of historical value.

4. With the approval of the Committee to Approve Schedules for the Retention and Disposition of Official State Records, turn over to:

- (a) Any agency in the Department; or
- (b) *The University of Nevada or the* Nevada System of Higher Education,



➡ material in the archives which the State Library, Archives and Public Records Administrator finds to be surplus, not properly in the archives or appropriate to be kept elsewhere.

5. Expend a gift of money the State Library, Archives and Public Records Administrator is authorized to accept for the purpose specified by the donor or, if no purpose is specified, in a manner which will further the purposes of the Division.

Sec. 383. NRS 408.078 is hereby amended to read as follows:

408.078 “Public lands” means all lands within the exterior boundaries of the State of Nevada except lands:

1. To which title is held by any private person or entity;

2. To which title is held by the State of Nevada, any of its local governments, *the University of Nevada* or the Nevada System of Higher Education;

3. Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges, or which are lands acquired by purchase consented to by the Legislature;

4. Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or

5. Which are held in trust for Indian purposes or are Indian reservations.

Sec. 384. NRS 408.55028 is hereby amended to read as follows:

408.55028 1. The Telecommunications Advisory Council is hereby created.

2. The Council consists of seven members appointed by the Governor. The Governor shall appoint to the Council:

(a) One member from the Office of Science, Innovation and Technology in the Office of the Governor;

(b) One member from the Department of Transportation;

(c) One member from the Department of Education;

(d) One member from the Nevada Office of Rural Health;

(e) One member from the Department of Public Safety;

(f) One member from *the University of Nevada* or the Nevada System of Higher Education; and

(g) One member from the Division of Enterprise Information Technology Services of the Department of Administration.

3. The member appointed from the Office of Science, Innovation and Technology in the Office of the Governor shall serve as the Chair of the Council.

4. The Council shall meet as necessary at the call of the Chair.

5. The Director of the Office of Science, Innovation and Technology in the Office of the Governor shall provide staff support to the Council.



6. A majority of the members of the Council constitutes a quorum for the transaction of business.

7. The members of the Council receive no compensation for their services, but are entitled to be reimbursed for all travel and other expenses actually and necessarily incurred by them in the performance of their duties, within the limits of money available to the Council.

8. The members of the Council may request assistance from technical advisors as the Council deems necessary.

9. The Council shall:

(a) Provide information, advice, strategic plans, priorities and recommendations to assist the Department in administering access to rights-of-way to telecommunications providers for statewide telecommunications purposes;

(b) Assist the Department in valuing in-kind compensation pursuant to NRS 408.5501 to 408.55029, inclusive, and approve or deny any valuation thereof;

(c) Seek input from telecommunications providers and the public relating to broadband access;

(d) Coordinate and exchange information with other entities of this State and its political subdivisions relating to technology and telecommunications;

(e) Approve or deny any agreement between the Department and a telecommunications provider proposed pursuant to NRS 408.5502, if the Council finds that the agreement is competitively neutral and nondiscriminatory; and

(f) Provide other assistance as requested by the Department.

Sec. 385. NRS 408.581 is hereby amended to read as follows:

408.581 1. The Advisory Committee on Traffic Safety is hereby created in the Department. The Advisory Committee consists of the following voting members:

(a) The Director of the Department of Transportation or his or her designee;

(b) The Director of the Department of Health and Human Services or his or her designee;

(c) The Director of the Department of Motor Vehicles or his or her designee;

(d) The Director of the Department of Public Safety or his or her designee;

(e) The Superintendent of Public Instruction or his or her designee;

(f) One member who is a representative of the Department of Transportation, appointed by the Director of the Department of Transportation;



(g) One member who is a representative of the Department of Public Safety, appointed by the Director of the Department of Public Safety;

(h) One member appointed by the Speaker of the Assembly who is a member of the Assembly Standing Committee on Growth and Infrastructure during the current or immediately preceding regular session;

(i) One member appointed by the Majority Leader of the Senate who is a member of the Senate Standing Committee on Growth and Infrastructure during the current or immediately preceding regular session;

(j) One member who is a representative of the Administrative Office of the Courts, appointed by the Chief Justice of the Supreme Court of Nevada;

(k) One member who represents tribal governments in Nevada, appointed by the Inter-Tribal Council of Nevada, Inc., or its successor organization;

(l) Two members who are full- or part-time faculty members in *the University of Nevada or* the Nevada System of Higher Education and have expertise in traffic safety or trauma care, appointed by the Director of the Department of Transportation;

(m) One member appointed by each metropolitan planning organization to represent the appointing organization;

(n) One member appointed by the Nevada Association of Counties;

(o) One member appointed by the Nevada League of Cities; and

(p) One member who represents local law enforcement agencies, appointed by the Nevada Sheriffs' and Chiefs' Association.

2. The Director of the Department of Transportation may appoint as nonvoting members of the Advisory Committee such other persons as the Director deems appropriate.

3. The term of office of each member appointed to the Advisory Committee is 2 years. Such members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the appointed voting membership of the Advisory Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The members of the Advisory Committee shall elect from their voting membership a Chair and a Vice Chair. The term of office of the Chair and the Vice Chair is 2 years. If a vacancy occurs in the office of Chair or Vice Chair, the members of the Advisory Committee shall elect a Chair or Vice Chair, as applicable, from among its voting members to serve for the remainder of the unexpired term.



1 5. The Advisory Committee shall meet at least once each
2 calendar quarter and may meet at such further times as deemed
3 necessary by the Chair.

4 6. A majority of the voting members of the Advisory
5 Committee constitutes a quorum for the transaction of business. If a
6 quorum is present, the affirmative vote of a majority of the voting
7 members of the Advisory Committee present is sufficient for any
8 official action taken by the Advisory Committee.

9 7. Each member of the Advisory Committee serves without
10 compensation and is not entitled to receive a per diem allowance or
11 travel expenses.

12 8. The Department shall provide administrative support to the
13 Advisory Committee.

14 9. The Advisory Committee shall review, study and make
15 recommendations regarding:

16 (a) Evidence-based best practices for reducing or preventing
17 deaths and injuries related to motor vehicle crashes on roadways in
18 this State;

19 (b) Data on motor vehicle crashes resulting in death or serious
20 bodily injury in this State, including, without limitation, factors that
21 cause such crashes and measures known to prevent such crashes;

22 (c) Policies intended to reduce or prevent deaths and injuries
23 related to motor vehicle crashes on roadways in this State; and

24 (d) Any other matter submitted by the Chair.

25 10. The Advisory Committee shall prepare and submit to the
26 Governor and to the Director of the Legislative Counsel Bureau for
27 transmittal to the Legislature an annual report concerning the
28 activities of the Advisory Committee that addresses, without
29 limitation, any issue reviewed or studied and any recommendations
30 made by the Advisory Committee pursuant to subsection 9.

31 11. The Advisory Committee may establish such working
32 groups, task forces and similar entities from within or outside its
33 membership as necessary to address specific issues or otherwise to
34 assist in its work.

35 12. As used in this section, “metropolitan planning
36 organization” means an entity that has been designated as a
37 metropolitan planning organization pursuant to 23 U.S.C. § 134 and
38 49 U.S.C. § 5303.

39 **Sec. 386.** NRS 412.143 is hereby amended to read as follows:

40 412.143 1. The Adjutant General may authorize the payment
41 of not more than 100 percent of the consolidated fee each semester
42 for each member of the active Nevada National Guard who attends
43 one of the universities or state colleges within *the University of*
44 *Nevada or* the Nevada System of Higher Education as a full-time or
45 part-time student from money appropriated for this purpose.



2. The Adjutant General may authorize the payment of not more than 100 percent of the credit-hour cost each semester for each member of the active Nevada National Guard who attends one of the community colleges within the Nevada System of Higher Education as a full-time or part-time student from money appropriated for this purpose.

3. To be eligible to receive benefits, a person must be a member in good standing of the active Nevada National Guard at the beginning of and throughout the entire semester for which benefits are received.

Sec. 387. NRS 412.1435 is hereby amended to read as follows:

412.1435 1. The Patriot Relief Account is hereby created as a special account in the State General Fund.

2. The money in the Patriot Relief Account does not lapse to the State General Fund at the end of any fiscal year. The interest and income earned on the sum of:

(a) The money in the Patriot Relief Account, after deducting any applicable charges; and

(b) Unexpended appropriations made to the Patriot Relief Account from the State General Fund, must be credited to the Account. All claims against the Patriot Relief Account must be paid as other claims against the State are paid.

3. The Office may accept gifts, grants and donations from any source for deposit in the Patriot Relief Account.

4. To the extent money is available from legislative appropriation or otherwise in the Patriot Relief Account, the money in the Patriot Relief Account may only be used to provide:

(a) Reimbursement to a member of the Nevada National Guard for the cost of:

(1) Premiums on a policy of group life insurance purchased pursuant to the provisions of 38 U.S.C. §§ 1965 et seq.; or

(2) Textbooks required for a course of study in which the member is enrolled at an institution within *the University of Nevada* or the Nevada System of Higher Education; and

(b) Monetary relief from economic hardships experienced by a member of the Nevada National Guard.

5. The Adjutant General shall adopt any regulations necessary to determine eligibility for reimbursement or monetary relief from the Patriot Relief Account and to carry out a program to provide such reimbursement and monetary relief.



Sec. 388. NRS 417.0191 is hereby amended to read as follows:

417.0191 1. The Interagency Council on Veterans Affairs is hereby created. The Council consists of:

(a) The Director of the Department of Business and Industry;
(b) The Director of the Department of Corrections;
(c) The Director of the Department of Employment, Training and Rehabilitation;

(d) The Director of the Department of Health and Human Services;

(e) The Director of the Department of Public Safety;

(f) The Director of the Department of Veterans Services;

(g) The Adjutant General;

(h) The Chancellor of the *University of Nevada* ; ~~{System of Higher Education;}~~

(i) The Executive Director of the Office of Economic Development;

(j) The Executive Director of the Nevada Indian Commission;

(k) The Administrator of the Division of Human Resource Management of the Department of Administration; and

(l) Any other persons appointed by the Governor, including, without limitation, *representatives from a higher education governing body or the Nevada Office of Higher Education Administrative Services* or representatives of federal and local governmental agencies and private entities that provide services to veterans. Members appointed pursuant to this paragraph serve at the pleasure of the Governor.

2. A member of the Council may designate a person to represent him or her at any meeting of the Council. The person designated may exercise all the duties, rights and privileges of the member that he or she represents.

3. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.

Sec. 389. NRS 422.239 is hereby amended to read as follows:

422.239 1. The Division of Health Care Financing and Policy of the Department shall appoint, with the consent of the Director, a State Dental Health Officer, who may serve in the unclassified service of the State or as a contractor for the Division. The State Dental Health Officer must:

(a) Be a resident of this State;

(b) Hold a current license to practice dentistry issued pursuant to chapter 631 of NRS; and

(c) Be appointed on the basis of his or her education, training and experience and his or her interest in public dental health and related programs.



2. The State Dental Health Officer shall:

(a) Determine the needs of the residents of this State for public dental health;

(b) Provide the Advisory Committee, the Division of Health Care Financing and Policy and the Division of Public and Behavioral Health with advice regarding public dental health;

(c) Make recommendations to the Advisory Committee, the Division of Health Care Financing and Policy, the Division of Public and Behavioral Health and the Legislature regarding programs in this State for public dental health;

(d) Work collaboratively with the State Public Health Dental Hygienist; and

(e) Seek such information and advice from the Advisory Committee or from any dental education program in this State, including any such programs of *the University of Nevada* or the Nevada System of Higher Education, as necessary to carry out his or her duties.

3. The State Dental Health Officer shall devote all of his or her time to the business of his or her office and shall not pursue any other business or vocation or hold any other office of profit.

4. As used in this section, “Advisory Committee” means the Advisory Committee on the State Program for Oral Health created by NRS 439.2792.

Sec. 390. NRS 422A.478 is hereby amended to read as follows:

422A.478 1. The Nevada Statewide Council on Financial Independence is hereby created.

2. The Council is composed of the following voting members:

(a) The Lieutenant Governor or his or her designee;

(b) The State Treasurer or his or her designee;

(c) The Director of the Department of Health and Human Services or his or her designee;

(d) The Director of the Department of Employment, Training and Rehabilitation or his or her designee;

(e) The Attorney General or his or her designee;

(f) The Executive Director of the Office of Economic Development or his or her designee;

(g) The Superintendent of Public Instruction of the Department of Education or his or her designee;

(h) The following five voting members, appointed by the State Treasurer:

(1) A representative of:

(I) An authority, as defined in NRS 315.170;

(II) The Nevada Rural Housing Authority created by NRS 315.977; or



(III) A nonprofit organization which primarily provides affordable housing developments that are financed, wholly or in part, with low-income housing tax credits, private activity bonds or money from a governmental entity for affordable housing, including, without limitation, money received pursuant to the HOME Investment Partnerships Act, 42 U.S.C. §§ 12701 et seq.;

(2) A representative of an agency which provides child welfare services, as defined in NRS 432B.030, operating in a county whose population is 700,000 or more;

(3) A representative of *the University of Nevada or* the Nevada System of Higher Education;

(4) A representative of Workforce Connections or its successor organization; and

(5) A representative with knowledge, skill and experience in programs designed for recipients of public assistance or social services.

3. The State Treasurer or his or her designee shall serve as Chair of the Council.

4. The Lieutenant Governor or his or her designee shall serve as Vice Chair of the Council.

Sec. 391. NRS 426.630 is hereby amended to read as follows:

426.630 As used in NRS 426.630 to 426.715, inclusive, unless the context otherwise requires:

1. "Licensee" means a person who is blind and who is licensed by the Bureau to operate a vending facility in or on a public building or property or on federal property.

2. "Nevada Committee of Vendors Who Are Blind" means the Committee of Vendors Who Are Blind elected pursuant to NRS 426.670 and 34 C.F.R. § 395.14.

3. "Operate" means to be responsible for the day-to-day operation of a vending facility, including, without limitation, purchasing products for resale, hiring employees and performing other duties associated with managing a vending facility.

4. "Public building or property":

(a) Except as otherwise provided in paragraph (b), means any portion of any building, land or other real property, owned, leased or occupied by any public entity except public elementary and secondary schools, *the University of Nevada or* the Nevada System of Higher Education, the Nevada State Park System, the Department of Corrections, an airport authority operating in this State and a department of aviation which is operated by a political subdivision of this State.

(b) Does not include any building, land or other real property that is:

(1) Leased to a private entity; or



(2) Operated pursuant to an operating agreement, ➔ for the purposes of live entertainment, as defined in NRS 368A.090.

5. "Public entity" means any department, agency or political subdivision of the State, any department or agency of a political subdivision of the State or any public or quasi-public corporation that is supported in whole or in part by public money. The term includes, without limitation, a regional transportation commission, an irrigation district or water district created under the laws of the State of Nevada, and all boards, commissions and committees created by a public entity or the Legislature.

6. "Vending facility" means an automatic vending machine, cafeteria, snack bar, cart service, shelter, counter and other appropriate auxiliary equipment that is necessary for the sale of newspapers, periodicals, confections, tobacco products, foods, beverages and other articles or services dispensed or provided automatically or manually. The term includes, without limitation, the vending or exchange of tickets or similar items for participation in any lottery that is authorized under the laws of this State and is conducted by an agency of this State within this State.

7. "Vending Facility Program" means the program established by NRS 426.630 to 426.715, inclusive, to provide for the operation of vending facilities by licensees.

Sec. 392. NRS 426.640 is hereby amended to read as follows:

426.640 1. For the purposes of providing persons who are blind with remunerative employment, enlarging the economic opportunities of persons who are blind and stimulating persons who are blind to greater efforts to make themselves self-supporting with independent livelihoods, such persons licensed under the provisions of NRS 426.630 to 426.715, inclusive, by the Bureau:

(a) Except as otherwise provided in subsection 2, have priority of right to operate vending facilities in or on any public buildings or properties where the locations are determined by the Bureau to be suitable, pursuant to the procedure provided in NRS 426.630 to 426.715, inclusive. The Bureau, on behalf of licensees, has the right of first refusal with regard to the operation of any vending facility in or on any public building or property. Any agreement to operate a vending facility entered into on or after July 1, 2021, by a public entity that has care, custody and control of a public building or property with an entity other than the Bureau is void if the Bureau notifies the public entity that it intends to exercise the priority established by this paragraph.

(b) May operate vending facilities in or on buildings or properties of the Nevada State Park System, with the approval of the Bureau and the Administrator of the Division of State Parks.



(c) May operate vending facilities in or on buildings or properties of the Department of Corrections:

(1) If the Director of the Department of Corrections voluntarily chooses to have the Department of Corrections participate in the Vending Facility Program; and

(2) With the approval of the Bureau and the Department of Corrections.

(d) May operate vending facilities in or on buildings or properties of *the University of Nevada or* the Nevada System of Higher Education, including, without limitation, in or on buildings or properties of a university, state college or community college within the *University or* System, with the approval of the Bureau and the *University or* System or the university, state college or community college having care, custody and control of the building or property.

(e) May operate vending facilities in or on a public building or property of an airport authority operating in this State or a department of aviation operated by a political subdivision of this State if:

(1) The airport authority or department of aviation, as applicable, chooses to participate in the Vending Facility Program; and

(2) That participation complies with all local, state and federal statutes and regulations that govern the operations of the public building or property of the airport authority or department of aviation, as applicable.

2. Upon determining that a location is not suitable for a vending facility to be operated by a licensee, the Bureau may waive the priority established by paragraph (a) of subsection 1. The waiver must:

(a) Be in writing;

(b) Set forth the conditions under which the waiver may be revoked or modified; and

(c) Be signed by the Administrator of the Division or his or her designee.

Sec. 393. NRS 432A.076 is hereby amended to read as follows:

432A.076 1. The Nevada Early Childhood Advisory Council is hereby established as the state advisory council on early childhood education and care required to be established pursuant to 42 U.S.C. § 9837b(b)(1)(A)(i). The membership of the Council must be appointed by the Governor and include, without limitation:

(a) One member who is a representative of the Division of Public and Behavioral Health of the Department whose duties include responsibility for child care;



(b) One member who is a representative of the Department of Education;

(c) One member who is a representative of the Department of Education whose duties include responsibilities for programs under section 619 or part C of the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.;

(d) One member who is a representative of the boards of trustees of the school districts in this State;

(e) One member who is a representative of *the University of Nevada or* the Nevada System of Higher Education;

(f) One member who is a representative of local providers of early childhood education and developmental services;

(g) One member who is a representative of Head Start agencies in this State, including, without limitation, migrant and seasonal Head Start programs and Indian Head Start programs;

(h) One member who is appointed or designated pursuant to 42 U.S.C. § 9837b(a)(3)(A);

(i) One member who is a representative of the Aging and Disability Services Division of the Department;

(j) One member who is a representative of a nonprofit organization located in southern Nevada that provides early childhood education programs;

(k) One member who is a representative of a nonprofit organization located in northern Nevada that provides early childhood education programs;

(l) One member who is a representative of the pediatric mental, physical or behavioral health care industry; and

(m) Such other members as the Governor determines are appropriate.

2. The Council shall:

(a) Work to strengthen state-level coordination and collaboration among the various sectors and settings of early childhood education programs.

(b) Conduct periodic statewide assessments of needs relating to the quality and availability of programs and services for children who are in early childhood education programs.

(c) Identify opportunities for and barriers to coordination and collaboration among early childhood education programs funded in whole or in part by the Federal Government, the State or a local government.

(d) Develop recommendations for:

(1) Increasing the participation of children in early childhood education programs funded in whole or in part by the Federal Government, the State or a local government, including, without



1 limitation, providing information on such programs to
2 underrepresented and special populations;

3 (2) The establishment or improvement of core elements of
4 the early childhood system in this State, including, without
5 limitation, a statewide unified system for collecting data relating to
6 early childhood education programs;

7 (3) A statewide professional development system for
8 teachers engaged in early childhood education; and

9 (4) The establishment of statewide standards for early
10 childhood education programs in this State.

11 (e) Assess the capacity and effectiveness of institutions of
12 higher education in this State in developing teachers in the field of
13 early childhood education.

14 (f) Establish, in cooperation with the State Board of Education,
15 guidelines for evaluating the school readiness of children. The
16 guidelines must:

17 (1) Be based on national school readiness indicators;

18 (2) Address the following components of school readiness:

19 (I) Physical and developmental health;

20 (II) Social and emotional development;

21 (III) Approaches to learning;

22 (IV) Language and early literacy development; and

23 (V) Cognition and general knowledge.

24 (g) Develop recommendations for increasing parental
25 involvement and family engagement in early childhood education
26 programs.

27 (h) Perform such other duties relating to early childhood
28 education programs as designated by the Governor.

29 3. On or before December 1 of each year, the Council shall
30 submit a report to the Governor and to the Director of the
31 Legislative Counsel Bureau for transmittal to the Joint Interim
32 Standing Committee on Health and Human Services and the Joint
33 Interim Standing Committee on Education, if the report is received
34 during an odd-numbered year, or to the next session of the
35 Legislature, if the report is received during an even-numbered year.
36 The report must include, without limitation, a summary of the
37 activities of the Council and any recommendations for
38 improvements to the early childhood system in this State.

39 4. The Council may accept gifts, grants and donations from any
40 source for the support of the Council in carrying out the provisions
41 of this section.

42 **Sec. 394.** NRS 432B.610 is hereby amended to read as
43 follows:

44 432B.610 1. The Peace Officers' Standards and Training
45 Commission shall:



(a) Require each category I peace officer to complete a program of training for the detection and investigation of and response to cases of sexual abuse or sexual exploitation of children under the age of 18 years.

(b) Not certify any person as a category I peace officer unless the person has completed the program of training required pursuant to paragraph (a).

(c) Establish a program to provide the training required pursuant to paragraph (a).

(d) Adopt regulations necessary to carry out the provisions of this section.

2. As used in this section, "category I peace officer" means:

(a) Sheriffs of counties and of metropolitan police departments, their deputies and correctional officers;

(b) Personnel of the Nevada Highway Patrol whose principal duty is to enforce one or more laws of this State, and any person promoted from such a duty to a supervisory position related to such a duty;

(c) Marshals, police officers and correctional officers of cities and towns;

(d) Members of ~~the~~ a Police Department ~~of the Nevada System of Higher Education;~~ **created pursuant to NRS 396.325;**

(e) Employees of the Division of State Parks of the State Department of Conservation and Natural Resources designated by the Administrator of the Division who exercise police powers specified in NRS 289.260;

(f) The Chief, investigators and agents of the Investigation Division of the Department of Public Safety;

(g) The personnel of the Department of Wildlife who exercise those powers of enforcement conferred by title 45 and chapter 488 of NRS; and

(h) School police officers employed or appointed by the board of trustees of any county school district.

Sec. 395. NRS 433.279 is hereby amended to read as follows:

433.279 1. The Division shall carry out a vocational and educational program for the certification of mental health technicians, including forensic technicians:

(a) Employed by the Division, or other employees of the Division who perform similar duties, but are classified differently.

(b) Employed by the Division of Child and Family Services of the Department.

➤ The program must be carried out in cooperation with **the University of Nevada and** the Nevada System of Higher Education.

2. A mental health technician is responsible to the director of the service in which his or her duties are performed. The director of



a service may be a licensed physician, dentist, podiatric physician, psychiatrist, psychologist, rehabilitation therapist, social worker, registered nurse or other professionally qualified person. This section does not authorize a mental health technician to perform duties which require the specialized knowledge and skill of a professionally qualified person.

3. The Division shall adopt regulations to carry out the provisions of this section.

4. As used in this section, “mental health technician” means an employee of the Division of Public and Behavioral Services or the Division of Child and Family Services who, for compensation or personal profit, carries out procedures and techniques which involve cause and effect and which are used in the care, treatment and rehabilitation of persons with mental illness and persons who are emotionally disturbed, and who has direct responsibility for:

(a) Administering or carrying out specific therapeutic procedures, techniques or treatments, excluding medical interventions, to enable consumers to make optimal use of their therapeutic regime, their social and personal resources, and their residential care; or

(b) The application of interpersonal and technical skills in the observation and recognition of symptoms and reactions of consumers, for the accurate recording of such symptoms and reactions, and for carrying out treatments authorized by members of the interdisciplinary team that determines the treatment of the consumers.

Sec. 396. NRS 435.425 is hereby amended to read as follows:

435.425 1. The Division shall carry out a vocational and educational program for the certification of intellectual and developmental disability technicians, including forensic technicians employed by the Division, or other employees of the Division who perform similar duties, but are classified differently. The program must be carried out in cooperation with *the University of Nevada and* the Nevada System of Higher Education.

2. An intellectual and developmental disability technician is responsible to the director of the service in which his or her duties are performed. The director of a service may be a licensed physician, dentist, podiatric physician, psychiatrist, psychologist, rehabilitation therapist, social worker, registered nurse or other professionally qualified person. This section does not authorize an intellectual and developmental disability technician to perform duties which require the specialized knowledge and skill of a professionally qualified person.

3. The Administrator shall adopt regulations to carry out the provisions of this section.



4. As used in this section, “intellectual and developmental disability technician” means an employee of the Division who, for compensation or personal profit, carries out procedures and techniques which involve cause and effect and which are used in the care, treatment and rehabilitation of persons with intellectual disabilities or persons with developmental disabilities and who has direct responsibility for:

(a) Administering or carrying out specific therapeutic procedures, techniques or treatments, excluding medical interventions, to enable consumers to make optimal use of their therapeutic regime, their social and personal resources, and their residential care; or

(b) The application of interpersonal and technical skills in the observation and recognition of symptoms and reactions of consumers, for the accurate recording of such symptoms and reactions, and for carrying out treatments authorized by members of the interdisciplinary team that determines the treatment of the consumers.

Sec. 397. NRS 439.110 is hereby amended to read as follows:

439.110 1. Except as otherwise provided in this section and NRS 284.143, the Chief Medical Officer shall devote his or her full time to the official duties of the Chief Medical Officer and shall not engage in any other business or occupation.

2. Notwithstanding the provisions of NRS 281.127, the Chief Medical Officer may cooperate with *the University of Nevada and* the Nevada System of Higher Education in the preparation and teaching of preservice professional workers in public health and in a program providing additional professional preparation for behavioral health workers and public health workers employed by the State of Nevada.

3. With the approval of the Director, the Chief Medical Officer may maintain a clinical practice that is not established through the University of Nevada in order to retain expertise and remain current in his or her specialized field.

Sec. 398. NRS 439.263 is hereby amended to read as follows:

439.263 1. It is the policy of this State to:

(a) Improve the completeness and quality of data concerning diverse demographic groups that is collected, reported and analyzed for the purposes of clinical trials of drugs and medical devices;

(b) Identify barriers to participation in clinical trials by persons who are members of demographic groups that are underrepresented in such trials and employ strategies recognized by the United States Food and Drug Administration to encourage greater participation in clinical trials by such persons; and



(c) Make data concerning demographic groups that is collected, reported and analyzed for the purposes of clinical trials more available and transparent.

2. To assist in carrying out this policy:

(a) The Division shall review the most recent version of “Collection of Race and Ethnicity Data in Clinical Trials—Guidance for Industry and Food and Drug Administration Staff,” published by the United States Food and Drug Administration, and establish, using existing infrastructure and tools, a program to encourage participation in clinical trials of drugs and medical devices by persons who are members of demographic groups that are underrepresented in such clinical trials. The program must include, without limitation:

(1) Collaboration with medical facilities, health authorities and other local governmental entities, nonprofit organizations and scientific investigators and institutions that are performing research relating to drugs or medical devices to assist such investigators and institutions in identifying and recruiting persons who are members of underrepresented demographic groups to participate in clinical trials; and

(2) The establishment and maintenance of an Internet website that:

(I) Provides information concerning methods recognized by the United States Food and Drug Administration for identifying and recruiting persons who are members of underrepresented demographic groups to participate in clinical trials; and

(II) Contains links to Internet websites maintained by medical facilities, health authorities and other local governmental entities, nonprofit organizations and scientific investigators and institutions that are performing research relating to drugs or medical devices in this State.

(b) With the assistance of the Office of Federal Assistance, the Division shall apply for grants from any source, including, without limitation, the Federal Government, to fund the program established pursuant to paragraph (a).

(c) Not later than May 1 of each even-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the status and results of the program established pursuant to paragraph (a).

(d) Each state or local governmental entity that conducts clinical trials of drugs or medical devices, including, without limitation, ~~the Board of Regents of the University of Nevada,~~ **a higher education governing body**, shall adopt a policy concerning the identification and recruitment of persons who are members of underrepresented



demographic groups to participate in those clinical trials. Such a policy must include, without limitation, requirements that investigators who are conducting clinical trials collaborate with community-based organizations and use methods recognized by the United States Food and Drug Administration to identify and recruit such persons to participate in those clinical trials.

3. For the purposes of this section, demographic groups that are underrepresented in clinical trials may include, without limitation, persons who are underrepresented by race, sex, sexual orientation, socioeconomic status and age.

4. The Division may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section.

5. As used in this section ~~["medical"]~~:

(a) *"Higher education governing body" has the meaning ascribed to it in NRS 396.005.*

(b) *"Medical facility" has the meaning ascribed to it in NRS 449.0151.*

Sec. 399. NRS 439.5083 is hereby amended to read as follows:

439.5083 1. The Task Force on Alzheimer's Disease is hereby created within the Department of Health and Human Services.

2. The Director shall appoint to the Task Force the following eight voting members:

(a) A representative from an association that provides services to persons with Alzheimer's disease;

(b) A medical professional with expertise in cognitive disorders;

(c) A representative of caregivers for persons with cognitive disorders;

(d) A representative of *the University of Nevada or* the Nevada System of Higher Education with expertise in cognitive disorders;

(e) A representative of providers of service for persons with cognitive disorders;

(f) A representative from a rural area of this State;

(g) A representative from the Department; and

(h) A member at large.

3. The Legislative Commission shall appoint to the Task Force the following two voting members:

(a) One member of the Senate; and

(b) One member of the Assembly.

4. After the initial terms, the members of the Task Force serve terms of 2 years. A member may be reappointed to the Task Force and any vacancy must be filled in the same manner as the original appointment.



5. The members of the Task Force serve without compensation, except that each member is entitled, while engaged in the business of the Task Force and within the limits of available money, to the per diem allowance and travel expenses provided for state officers and employees generally.

6. Not later than 30 days after appointment, each member of the Task Force appointed pursuant to subsection 2 shall nominate two persons to serve as his or her alternate members and submit the names of the persons nominated to the Director for appointment. An alternate member shall serve as a voting member of the Task Force when the appointed member who nominated the alternate is disqualified or unable to serve.

Sec. 400. NRS 439.518 is hereby amended to read as follows:

439.518 1. Within the limits of available money, the Division shall establish the Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease to advise and make recommendations to the Division concerning the Program.

2. The Administrator shall appoint to the Advisory Council the following 13 voting members:

(a) The Chief Medical Officer or the designee of the Chief Medical Officer;

(b) The Superintendent of Public Instruction or the designee of the Superintendent;

(c) One representative of the health insurance industry;

(d) One provider of health care;

(e) One representative of the Nevada Association for Health, Physical Education, Recreation and Dance or its successor organization;

(f) Three representatives of organizations committed to the prevention and treatment of chronic diseases;

(g) One registered dietitian;

(h) One representative who is a member of a racial or ethnic minority group appointed from a list of persons submitted to the Administrator by the Advisory Committee of the Office of Minority Health and Equity of the Department;

(i) One representative of private employers in this State who has experience in matters relating to employment and human resources;

(j) One representative of a local health authority; and

(k) One representative of *the University of Nevada* or the Nevada System of Higher Education from a list of persons submitted to the Administrator by the Board of Regents of the University of Nevada.

3. The Legislative Commission shall appoint to the Advisory Council the following two voting members:

(a) One member of the Senate; and



(b) One member of the Assembly.

4. A majority of the voting members of the Advisory Council may appoint nonvoting members to the Advisory Council.

Sec. 401. NRS 439.521 is hereby amended to read as follows:

439.521 1. To carry out the provisions of NRS 439.514 to 439.525, inclusive, the Division shall, within the limits of available money, and with the advice and recommendations of the Advisory Council:

(a) Periodically prepare burden reports concerning health problems and diseases, including, without limitation, a lack of physical fitness, poor nutrition, tobacco use and exposure to tobacco smoke, chronic diseases, including, without limitation, obesity and diabetes, and other diseases, as determined by the Division, using the most recent information obtained through surveillance, epidemiology and research. As used in this paragraph, “burden report” means a calculation of the impact of a particular health problem or chronic disease on this State, as measured by financial cost, mortality, morbidity or other indicators specified by the Division.

(b) Prepare an annual report on obesity pursuant to paragraph (a) which must:

(1) Include, without limitation:

(I) Current obesity rates in this State;

(II) Information regarding obesity with regard to specific demographics;

(III) Actions taken by the Division regarding obesity; and

(IV) The State’s goals and achievements regarding obesity rates.

(2) On or before March 15 of each year, be submitted to the Director of the Legislative Counsel Bureau for transmittal to:

(I) The Joint Interim Standing Committee on Health and Human Services during even-numbered years; and

(II) The Legislature during odd-numbered years.

(c) Identify, review and encourage, in coordination with the Department of Education, *the University of Nevada*, the Nevada System of Higher Education and other appropriate state agencies, existing evidence-based programs related to nutrition, physical fitness and tobacco prevention and cessation, including, without limitation, programs of state and local governments, educational institutions, businesses and the general public.

(d) Develop, promote and coordinate recommendations for model and evidence-based programs that contribute to reductions in the incidence of chronic disease in this State. The programs should encourage:



(1) Proper nutrition, physical fitness and health among the residents of this State, including, without limitation, parents and children, senior citizens, high-risk populations and persons with special needs; and

(2) Work-site wellness policies that include, without limitation, tobacco-free and breast feeding-friendly environments, healthy food and beverage choices and physical activity opportunities in schools, businesses and public buildings.

(e) Assist on projects within this State as requested by, and in coordination with, the President's Council on Fitness, Sports and Nutrition.

(f) Identify and review methods for reducing health care costs associated with tobacco use and exposure to tobacco smoke, chronic diseases, including, without limitation, obesity and diabetes, and other diseases, as determined by the Division.

(g) Maintain a website to provide information and resources on nutrition, physical fitness, health, wellness and the prevention of chronic diseases, including, without limitation, obesity and diabetes.

(h) Solicit information from and, to the extent feasible, coordinate its efforts with:

(1) Other governmental agencies;

(2) National health organizations and their local and state chapters;

(3) Community and business leaders;

(4) Community organizations;

(5) Providers of health care;

(6) Private schools; and

(7) Other persons who provide services relating to tobacco use and exposure, physical fitness and wellness and the prevention of chronic diseases, including, without limitation, obesity and diabetes, and other diseases.

(i) Establish, maintain and enhance statewide chronic disease surveillance systems.

(j) Translate surveillance, evaluation and research information into press releases, briefs, community education and advocacy materials and other publications that highlight chronic diseases and the key risk factors of those diseases.

(k) Identify, assist and encourage the growth of, through funding, training, resources and other support, the community's capacity to assist persons who have a chronic disease.

(l) Encourage relevant community organizations to effectively recruit key population groups to receive clinical preventative services, including, without limitation:

(1) Screening and early detection of breast, cervical and colorectal cancer, diabetes, high blood pressure and obesity;



- 1 (2) Oral screenings; and
- 2 (3) Tobacco cessation counseling.

3 (m) Promote positive policy, system and environmental changes
4 within communities and the health care system based on, without
5 limitation, the Chronic Care Model developed by the MacColl
6 Center for Health Care Innovation and the Patient-Centered Medical
7 Home Recognition Program of the National Committee for Quality
8 Assurance.

9 (n) Review and revise the Program as needed.

10 2. As used in this section:

11 (a) "Chronic disease" means a health condition or disease which
12 presents for a period of 3 months or more or is persistent, indefinite
13 or incurable.

14 (b) "Obesity" means a chronic disease characterized by an
15 abnormal and unhealthy accumulation of body fat which is
16 statistically correlated with premature mortality, hypertension, heart
17 disease, diabetes, cancer and other health conditions, and may be
18 indicated by:

19 (1) A body mass index of 30 or higher in adults;

20 (2) A body mass index that is greater than two standard
21 deviations above the World Health Organization's growth standard
22 for children who are at least 5 but less than 19 years of age, or
23 greater than three standard deviations above the standard for
24 children who are less than 5 years of age;

25 (3) A body fat percentage greater than 25 percent for men or
26 32 percent for women; or

27 (4) A waist size of 40 inches or more for men or 35 inches or
28 more for women.

29 **Sec. 402.** NRS 439A.082 is hereby amended to read as
30 follows:

31 439A.082 The Director, through the Division of Health Care
32 Financing and Policy of the Department, shall contract with *the*
33 *University of Nevada* or the Nevada System of Higher Education to
34 collect and analyze information from health facilities and purchasers
35 of health care to:

36 1. Respond to requests for information from the Legislature.

37 2. Provide technical assistance to purchasers of health care.

38 3. Provide the Department with information necessary to carry
39 out the provisions of this chapter.

40 4. Provide other persons with information relating to the cost
41 of health care.

42 **Sec. 403.** NRS 439A.118 is hereby amended to read as
43 follows:

44 439A.118 1. The Director shall establish the Health Care
45 Workforce Working Group within the Department. The Director



1 shall appoint to the Working Group providers of health care and
2 representatives of:

3 (a) Groups that represent providers of health care and consumers
4 of health care;

5 (b) The *University of Nevada*, Nevada System of Higher
6 Education, universities, state colleges, community colleges and
7 other institutions in this State that train providers of health care;

8 (c) The Department of Health and Human Services; and

9 (d) Professional licensing boards that license, certify or register
10 providers of health care.

11 2. The Director shall appoint a Chair of the Working Group.
12 The Working Group shall meet at the call of the Chair. A majority
13 of the members of the Working Group constitutes a quorum and is
14 required to transact any business of the Working Group.

15 3. The members of the Working Group serve without
16 compensation and are not entitled to receive the per diem allowance
17 and travel expenses provided for state officers and employees
18 generally.

19 4. A member of the Working Group who is an officer or
20 employee of this State or a political subdivision of this State must be
21 relieved from his or her duties without loss of regular compensation
22 to prepare for and attend meetings of the Working Group and
23 perform any work necessary to carry out the duties of the Working
24 Group in the most timely manner practicable. A state agency or
25 political subdivision of this State shall not require an officer or
26 employee who is a member of the Working Group to:

27 (a) Make up the time he or she is absent from work to carry out
28 his or her duties as a member of the Working Group; or

29 (b) Take annual leave or compensatory time for the absence.

30 5. The Department shall provide such administrative support to
31 the Working Group as is necessary to carry out the duties of the
32 Working Group.

33 **Sec. 404.** NRS 439A.121 is hereby amended to read as
34 follows:

35 439A.121 1. The Working Group shall:

36 (a) Make recommendations to the Director concerning the
37 information included in the database pursuant to NRS 439A.116;

38 (b) Analyze the information contained in the database; and

39 (c) Make recommendations to the Department of Health and
40 Human Services, the Department of Education, ~~the Board of~~
41 ~~Regents of the University of Nevada,~~ *each higher education*
42 *governing body*, the Legislature, professional licensing boards that
43 license, certify or register providers of health care and other relevant
44 persons and entities concerning ways in which to:



(1) Attract more persons, including, without limitation, members of underrepresented groups, to pursue the education necessary to practice as a provider of health care and practice as a provider of health care in this State; and

(2) Improve health outcomes and public health in this State.

2. The Working Group may publish reports of any of its findings or recommendations.

3. *As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

Sec. 405. NRS 439A.290 is hereby amended to read as follows:

439A.290 1. In carrying out the provisions of NRS 439A.200 to 439A.290, inclusive, the Department:

(a) Shall work in consultation with a quality improvement organization of the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services; and

(b) May contract with *the University of Nevada*, the Nevada System of Higher Education or any appropriate, independent and qualified person or entity to analyze the information collected and maintained by the Department pursuant to NRS 439A.200 to 439A.290, inclusive. Such a contractor may release or publish or otherwise use information made available to it pursuant to the contract if the Department determines that the information is accurate and the contractor complies with the regulations adopted pursuant to subsection 2.

2. The Department shall adopt regulations for the review and release of information collected and maintained by the Department pursuant to NRS 439A.200 to 439A.290, inclusive. The regulations must require, without limitation, the Department to review each request for information if the request is for purposes other than research.

3. The Department shall, on or before July 1 of each year, submit to the Joint Interim Standing Committee on Health and Human Services a report concerning each request that is made pursuant to subsection 2 and the determination of the Department with regard to each request.

Sec. 406. NRS 439B.855 is hereby amended to read as follows:

439B.855 If the all-payer claims database is established pursuant to NRS 439B.835:

1. The Department or any Division thereof may access and use data from the all-payer claims database for any purpose.

2. The Department shall release data from the all-payer claims database to the Attorney General upon request for the purpose of enforcing the provisions of chapters 598 and 598A of NRS.



3. Except as otherwise provided in subsection 4, the Department may release data from the all-payer claims database that does not contain proprietary financial information:

(a) In de-aggregated form with unique identifiers upon the submission of a request that meets the requirements of NRS 439B.850 to:

(1) A state or federal governmental entity, including, without limitation, a college or university within *the University of Nevada* or the Nevada System of Higher Education; or

(2) Any entity that submits data to the database pursuant to NRS 439B.840.

(b) In aggregated form to any person or entity approved by the Department that has submitted a request that meets the requirements of NRS 439B.850.

4. The Department shall not release data from the all-payer claims database in any form to any entity that is required or authorized to submit data to the all-payer claims database pursuant to NRS 439B.840 and fails to submit substantially complete data in accordance with the regulations adopted pursuant to NRS 439B.875.

5. A person or entity that receives data from the all-payer claims database pursuant to this section:

(a) Shall comply with any regulations of the Department adopted pursuant to NRS 439B.875.

(b) Shall not disclose or use the data in any manner other than as described in the request submitted pursuant to NRS 439B.850.

6. The Department shall notify each person or entity to whom data is released pursuant to subsection 3 of the percentage of residents of this State who have health coverage for which data was submitted to the all-payer claims database for the time period to which the released data pertains. Any published document that contains or uses data from the all-payer claims database, including, without limitation, the report published by the Department pursuant to NRS 439B.860, must state the percentage of residents of this State who have health coverage for which data was submitted to the database for the time period to which the data contained in or used by the published document pertains.

Sec. 407. NRS 442.007 is hereby amended to read as follows:

442.007 1. The State Board of Health shall adopt regulations establishing standards for perinatal care provided by any provider of health care, based on recommendations submitted to the Board by the School of Medicine and School of Nursing of *the University of Nevada and* the Nevada System of Higher Education ~~H~~, *as applicable*.

2. As used in this section, "provider of health care" has the meaning ascribed to it in NRS 629.031.



1 **Sec. 408.** NRS 444.330 is hereby amended to read as follows:
2 444.330 1. The Division has supervision over the sanitation,
3 healthfulness, cleanliness and safety, as it pertains to the foregoing
4 matters, of the following state institutions:

5 (a) Institutions and facilities of the Department of Corrections.

6 (b) Northern Nevada Adult Mental Health Services.

7 (c) Nevada Youth Training Center, Caliente Youth Center and
8 any other state facility for the detention of children that is operated
9 pursuant to title 5 of NRS.

10 (d) *University of Nevada and* Nevada System of Higher
11 Education.

12 2. The State Board of Health may adopt regulations pertaining
13 thereto as are necessary to promote properly the sanitation,
14 healthfulness, cleanliness and, as it pertains to the foregoing matters,
15 the safety of those institutions.

16 3. The Chief Medical Officer or an authorized agent of the
17 Officer shall inspect those institutions at least once each calendar
18 year and whenever he or she deems an inspection necessary to carry
19 out the provisions of this section. The inspection of any state facility
20 for the detention of children that is operated pursuant to title 5 of
21 NRS must include, without limitation, an inspection of all areas
22 where food is prepared and served, bathrooms, areas used for
23 sleeping, common areas and areas located outdoors that are used by
24 children at the facility.

25 4. The Chief Medical Officer shall publish reports of the
26 inspections of any state facility for the detention of children that is
27 operated pursuant to title 5 of NRS and may publish reports of the
28 inspections of other state institutions.

29 5. All persons charged with the duty of maintenance and
30 operation of the institutions named in this section shall operate the
31 institutions in conformity with the regulations adopted by the State
32 Board of Health pursuant to subsection 2.

33 6. The Chief Medical Officer or an authorized agent of the
34 Officer may, in carrying out the provisions of this section, enter
35 upon any part of the premises of any of the institutions named in
36 this section over which he or she has jurisdiction, to determine the
37 sanitary conditions of the institutions and to determine whether the
38 provisions of this section and the regulations of the State Board of
39 Health pertaining thereto are being violated.

40 **Sec. 409.** NRS 444A.110 is hereby amended to read as
41 follows:

42 444A.110 1. The Division shall develop a program of public
43 education to provide information, increase public awareness of the
44 individual responsibility of properly disposing of solid waste and
45 encouraging public participation in recycling, reuse and waste



1 reduction. The program must be designed in accordance with the
2 plans to provide for a solid waste management system approved
3 pursuant to NRS 444.510 to communicate the importance of
4 conserving natural resources, in addition to the importance of
5 protecting public health and the environment. The program must
6 include promotion of the private and public efforts to accomplish
7 conservation, recovery and reuse.

8 2. The Division shall encourage the reduction of waste and
9 litter by:

10 (a) Providing, upon request, advice to persons regarding
11 techniques to reduce waste and general information on recycling.

12 (b) Establishing a computer database to process related
13 information.

14 (c) Establishing a toll-free telephone line to assist in the
15 dissemination of information.

16 (d) Sponsoring or cosponsoring technical workshops and
17 seminars on waste reduction.

18 (e) Assisting local programs for the research and development of
19 plans to reduce waste.

20 (f) Coordinating the dissemination of publications on waste
21 reduction, regardless of the source of those publications.

22 (g) Assisting in the development and promotion of programs of
23 continuing education for educators and administrators to enable
24 them to teach and encourage methods of waste reduction.

25 (h) Developing an emblem to signify and advertise the efforts in
26 Nevada to encourage recycling.

27 (i) Recommending to educational institutions courses and
28 curricula relating to recycling and the reduction of waste.

29 (j) Assisting state agencies, upon request, to develop and carry
30 out programs for recycling within state buildings.

31 (k) Encouraging *the University of Nevada and* the Nevada
32 System of Higher Education to research and develop methods for
33 the reduction, reclamation and conversion of solid waste, including,
34 without limitation, encouraging *the University of Nevada and* the
35 Nevada System of Higher Education to seek money from public and
36 private sources for that purpose.

37 3. The Division shall coordinate the technical assistance
38 available from the various state agencies. The Administrator of the
39 Division shall prepare and deliver biennial reports to the Governor
40 regarding the progress of the program.

41 4. The Division may award grants to municipalities,
42 educational institutions and nonprofit organizations for projects that
43 enhance solid waste management systems and promote the efficient
44 use of resources. The Division shall consult a solid waste



1 management authority before awarding a grant for a project within
2 the jurisdiction of that solid waste management authority.

3 5. The State Environmental Commission shall adopt
4 regulations governing the administration of grants awarded pursuant
5 to subsection 4.

6 6. As used in this section, unless the context otherwise
7 requires, "Division" means the Division of Environmental
8 Protection of the State Department of Conservation and Natural
9 Resources.

10 **Sec. 410.** NRS 445B.200 is hereby amended to read as
11 follows:

12 445B.200 1. The State Environmental Commission is hereby
13 created within the Department. The Commission consists of:

14 (a) The Director of the Department of Wildlife;

15 (b) The State Forester Firewarden;

16 (c) The State Engineer;

17 (d) The Director of the State Department of Agriculture;

18 (e) The Administrator of the Division of Minerals of the
19 Commission on Mineral Resources;

20 (f) A member of the State Board of Health to be designated by
21 that Board; and

22 (g) Five members appointed by the Governor:

23 (1) One of whom is a general engineering contractor or a
24 general building contractor licensed pursuant to chapter 624 of
25 NRS;

26 (2) One of whom possesses expertise in performing mining
27 reclamation; and

28 (3) One of whom possesses experience and expertise in
29 advocating issues relating to conservation.

30 2. The Governor shall appoint the Chair of the Commission
31 from among the members of the Commission.

32 3. A majority of the members constitutes a quorum, and a
33 majority of those present must concur in any decision.

34 4. Each member who is appointed by the Governor is entitled
35 to receive a salary of not more than \$80, as fixed by the
36 Commission, for each day's attendance at a meeting of the
37 Commission.

38 5. While engaged in the business of the Commission, each
39 member and employee of the Commission is entitled to receive the
40 per diem allowance and travel expenses provided for state officers
41 and employees generally.

42 6. Any person who receives or has received during the
43 previous 2 years a significant portion of his or her income, as
44 defined by any applicable state or federal law, directly or indirectly
45 from one or more holders of or applicants for a permit required by



NRS 445A.300 to 445A.730, inclusive, is disqualified from serving as a member of the Commission. The provisions of this subsection do not apply to any person who receives, or has received during the previous 2 years, a significant portion of his or her income from any department or agency of State Government which is a holder of or an applicant for a permit required by NRS 445A.300 to 445A.730, inclusive.

7. The Department shall provide technical advice, support and assistance to the Commission. All state officers, departments, commissions and agencies, including the Department of Transportation, the Department of Health and Human Services, *the University of Nevada*, the Nevada System of Higher Education, the State Public Works Board, the Department of Motor Vehicles, the Department of Public Safety, the Public Utilities Commission of Nevada, the Nevada Transportation Authority and the State Department of Agriculture may also provide technical advice, support and assistance to the Commission.

Sec. 411. NRS 451.069 is hereby amended to read as follows:

451.069 As used in NRS 451.069 to 451.330, inclusive, “cemetery authority” means any natural person, partnership, association, corporation or public entity, including *the University of Nevada*, the Nevada System of Higher Education or any cemetery district, owning or leasing the land or other property of a cemetery or operating a cemetery as a business in this State.

Sec. 412. NRS 451.350 is hereby amended to read as follows:

451.350 As used in NRS 451.350 to 451.470, inclusive, “Committee” means the Committee on Anatomical Dissection established by the *University of Nevada* . ~~{System of Higher Education.}~~

Sec. 413. NRS 451.360 is hereby amended to read as follows:

451.360 1. The *University of Nevada* ~~{System of Higher Education}~~ may establish a Committee on Anatomical Dissection consisting of:

(a) One member who is a physician licensed to practice medicine pursuant to the provisions of chapter 630 of NRS, appointed by the Nevada State Medical Association.

(b) One member who is an osteopathic physician licensed to practice osteopathic medicine pursuant to the provisions of chapter 633 of NRS, appointed by the Nevada Osteopathic Medical Association.

(c) One member who is a dentist licensed to practice dentistry pursuant to the provisions of chapter 631 of NRS, appointed by the Nevada Dental Association.

(d) One member who is a pathologist, appointed by the Nevada Society of Pathologists.



(e) One member appointed by the President of the University of Nevada, Reno, from the faculty of the University of Nevada, Reno.

(f) One member appointed by the President of the University of Nevada, Las Vegas, from the faculty of the University of Nevada, Las Vegas.

(g) One member appointed by the President of the Touro University College of Osteopathic Medicine, Nevada, or its successor, from the faculty of the Touro University College of Osteopathic Medicine, Nevada.

(h) The Chief Medical Officer, or a designee of the Chief Medical Officer.

(i) One member appointed by the Nevada Funeral Service Association.

2. The Committee shall elect:

(a) The member appointed by the President of the University of Nevada, Reno, or the member appointed by the President of the University of Nevada, Las Vegas, to serve as Chair of the Committee; and

(b) A Secretary from among its members.

3. The Chair and Secretary shall hold office for a term of 1 year.

Sec. 414. NRS 451.450 is hereby amended to read as follows:

451.450 1. The Committee or its duly authorized agent shall take and receive the bodies delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive, and shall distribute such bodies proportionately and equitably, among schools, teaching hospitals in which there is a resident training program that requires cadaveric material for study, and such other person or entity as the Committee may determine to be eligible to receive such bodies.

2. The Committee shall charge and collect:

(a) From a university, state college, community college or medical school within *the University of Nevada or* the Nevada System of Higher Education and any other medical school in this State to which the Committee distributes a dead human body in accordance with subsection 1, a fee in an amount not to exceed the expenses of the Committee to obtain, handle and distribute the body delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive; and

(b) From any other person or entity to which the Committee distributes a dead human body in accordance with subsection 1:

(1) A fee in an amount not to exceed the expenses of the Committee to obtain, handle and distribute the body delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive; and



(2) An additional fee of \$200 for each body distributed to the person or entity which must be used by the Committee to carry out the provisions of NRS 451.350 to 451.470, inclusive.

3. A person or entity may not receive a dead body for the promotion of medical science unless the Committee has determined that the person or entity is eligible to receive the dead body. A person or entity who receives a dead body in violation of this subsection is guilty of a gross misdemeanor.

Sec. 415. NRS 453.3345 is hereby amended to read as follows:

453.3345 1. Unless a greater penalty is provided in NRS 453.333 or 453.334, and except as otherwise provided in NRS 193.169, any person who violates NRS 453.321 or 453.322:

(a) On the grounds of a public or private school, a playground, public park, public swimming pool, recreational center for youths or a video arcade;

(b) On a campus of *the University of Nevada or* the Nevada System of Higher Education;

(c) Within 1,000 feet of the perimeter of such a school ground or campus, playground, park, pool, recreational center or arcade; or

(d) Within 1,000 feet of a school bus stop from 1 hour before school begins until 1 hour after school ends during scheduled school days,

➤ must be punished by imprisonment in the state prison for a term equal to and in addition to the term of imprisonment prescribed by statute for the crime. The sentence prescribed by this section runs consecutively with the sentence prescribed by statute for the crime.

2. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

3. For the purposes of this section:

(a) “Playground” means any outdoor facility, intended for recreation, open to the public and in any portion thereof containing one or more apparatus intended for the recreation of children, such as a sliding board, teeterboard, sandbox or swingset.

(b) “Recreational center for youths” means a recreational facility or gymnasium which regularly provides athletic, civic or cultural activities for persons under 18 years of age.

(c) “School bus” has the meaning ascribed to it in NRS 483.160.

(d) “Video arcade” means a facility legally accessible to persons under 18 years of age, intended primarily for the use of pinball and video machines for amusement and which contains a minimum of 10 such machines.



Sec. 416. NRS 453.3351 is hereby amended to read as follows:

453.3351 1. Unless a greater penalty is provided by law, and except as otherwise provided in NRS 193.169, any person who violates NRS 453.322 or 453.3385 where the violation included the manufacture of any material, compound, mixture or preparation which contains any quantity of methamphetamine:

(a) Within 500 feet of a residence, business, church, synagogue or other place of religious worship, public or private school, campus of *the University of Nevada or* the Nevada System of Higher Education, playground, public park, public swimming pool or recreational center for youths; or

(b) In a manner which creates a great risk of death or substantial bodily harm to another person,

➔ shall be punished by imprisonment in the state prison for a term equal to and in addition to the term of imprisonment prescribed by statute for the crime. The sentence prescribed by this section runs consecutively with the sentence prescribed by statute for the crime.

2. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

3. For the purposes of this section:

(a) "Playground" has the meaning ascribed to it in NRS 453.3345.

(b) "Recreational center for youths" has the meaning ascribed to it in NRS 453.3345.

(c) "Residence" means any house, room, apartment, tenement, manufactured home as defined in NRS 489.113, or mobile home as defined in NRS 489.120, that is designed or intended for occupancy.

Sec. 417. NRS 459.0095 is hereby amended to read as follows:

459.0095 The Executive Director may:

1. Provide information relating to radioactive waste to the Legislature, local governments and state agencies that may be affected by the disposal of radioactive waste in this State.

2. Consult branches and facilities of *the University of Nevada or* the Nevada System of Higher Education or other institutions of higher education on matters relating to radioactive waste.

3. Employ, within the limitations of legislative authorization, technical consultants, specialists, investigators and other professional and clerical employees as are necessary to the performance of the duties of the Executive Director.

4. Make and execute contracts and all other instruments necessary for the exercise of the duties of the office.



5. Obtain equipment and supplies necessary to carry out the provisions of NRS 459.009 to 459.0098, inclusive.

Sec. 418. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this State an annual excise tax of \$250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The Commission shall:

(a) Collect the tax annually on or before June 30, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. Any other person who is authorized to receive a share of the revenue from any slot machine that is operated on the premises of a licensee is liable to the licensee for that person's proportionate share of the license fees paid by the licensee pursuant to this section and shall remit or credit the full proportionate share to the licensee on or before the dates set forth in subsection 2. A licensee is not liable to any other person authorized to receive a share of the licensee's revenue from any slot machine that is operated on the premises of a licensee for that person's proportionate share of the license fees to be remitted or credited to the licensee by that person pursuant to this section.

4. The Commission shall pay over the tax as collected to the State Treasurer to be deposited to the credit of the State Education Fund, and of the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education which are hereby created in the State Treasury as special revenue funds, in the amounts and to be expended only for the purposes specified in this section, or for any other purpose authorized by the Legislature if sufficient money is available in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education on July 31 of each year to pay the principal and interest due in that fiscal year on the bonds described in subsection 6.

5. During each fiscal year, the State Treasurer shall deposit the tax paid over to him or her by the Commission as follows:

(a) The first \$5,000,000 of the tax in the Capital Construction Fund for Higher Education;



(b) Twenty percent of the tax in the Special Capital Construction Fund for Higher Education; and

(c) The remainder of the tax in the State Education Fund.

6. There is hereby appropriated from the balance in the Special Capital Construction Fund for Higher Education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes of Nevada 1981, at page 1251, the bonds authorized to be issued by section 2 of chapter 643, Statutes of Nevada 1987, at page 1503, the bonds authorized to be issued by section 2 of chapter 614, Statutes of Nevada 1989, at page 1377, the bonds authorized to be issued by section 2 of chapter 718, Statutes of Nevada 1991, at page 2382, the bonds authorized to be issued by section 2 of chapter 629, Statutes of Nevada 1997, at page 3106, and the bonds authorized to be issued by section 2 of chapter 514, Statutes of Nevada 2013, at page 3391. If in any year the balance in that Fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the Capital Construction Fund for Higher Education. The balance remaining unappropriated in the Capital Construction Fund for Higher Education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the State General Fund for the support of higher education. If bonds described in this subsection are refunded and if the amount required to pay the principal of and interest on the refunding bonds in any fiscal year during the term of the bonds is less than the amount that would have been required in the same fiscal year to pay the principal of and the interest on the original bonds if they had not been refunded, there is appropriated to *the Nevada Office of Higher Education Administrative Services, the University of Nevada or* the Nevada System of Higher Education , *as applicable*, an amount sufficient to pay the principal of and interest on the original bonds, as if they had not been refunded. The amount required to pay the principal of and interest on the refunding bonds must be used for that purpose from the amount appropriated. The amount equal to the saving realized in that fiscal year from the refunding must be used by *the Nevada Office of Higher Education Administrative Services, the University of Nevada or* the Nevada System of Higher Education , *as applicable*, to defray, in whole or in part, the expenses of operation and maintenance of the facilities acquired in part with the proceeds of the original bonds.

7. After the requirements of subsection 6 have been met for each fiscal year, when specific projects are authorized by the Legislature, money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher



Education must be transferred by the State Controller and the State Treasurer to the State Public Works Board for the construction of capital improvement projects for *the University of Nevada or* the Nevada System of Higher Education, including, but not limited to, capital improvement projects for the community colleges of the Nevada System of Higher Education. As used in this subsection, “construction” includes, but is not limited to, planning, designing, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either Fund at the end of a fiscal year does not revert to the State General Fund but remains in those Funds for authorized expenditure.

8. The money deposited in the State Education Fund under this section must be apportioned as provided in NRS 387.030 among the several school districts and charter schools of the State at the times and in the manner provided by law.

9. ~~{The Board of Regents of the University of Nevada}~~ *A higher education governing body* may use any money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the Legislature.

10. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005.

Sec. 419. NRS 480.926 is hereby amended to read as follows:

480.926 The Office shall:

1. Establish partnerships with:

(a) Local governments;

(b) *The University of Nevada and the* Nevada System of Higher Education; and

(c) Private entities, to the extent practicable,

↳ to encourage the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems that are operated or maintained by a public or private entity in this State.

2. Establish partnerships to assist and receive assistance from local governments and appropriate agencies of the Federal Government regarding the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems.

3. Consult with the Division of Emergency Management of the Office of the Military and the Division of Enterprise Information Technology Services of the Department of Administration regarding



the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems.

4. Coordinate with the Investigation Division of the Department regarding gathering intelligence on and initiating investigations of cyber threats and incidents.

Sec. 420. NRS 482.330 is hereby amended to read as follows:

482.330 1. Upon issuance of a dealer's, distributor's, manufacturer's or rebuilder's license certificate pursuant to NRS 482.322, the Department shall furnish to the manufacturer, distributor, dealer or rebuilder one or more registration certificates and special plates for use on the vehicles described in the provisions of NRS 482.320. Each plate must have displayed upon it the identification number which is assigned to the dealer, distributor, manufacturer or rebuilder, and may at the discretion of the Department have a different letter or symbol on each plate or pair of plates. The manufacturer's, distributor's, dealer's or rebuilder's license plates may be used interchangeably on that vehicle.

2. The Department shall issue to each dealer a reasonable number of registration certificates and license plates.

3. The Department shall provide by regulation for the issuance of special license plates to dealers or rebuilders and for the number of those plates for use on vehicles loaned by those dealers or rebuilders to:

(a) Customers in the course of business.

(b) The State of Nevada.

(c) The *University of Nevada or the* Nevada System of Higher Education.

(d) A school district.

(e) A county, city or town.

(f) An organization that is exempt from taxation pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code.

➡ The regulations must prescribe what use may be made of the plates and the persons who may operate a motor vehicle with those plates.

4. Notwithstanding the provisions of subsection 3, a dealer may use not more than six special plates from the total number of plates issued pursuant to this section for personal use by the dealer or a member of the dealer's immediate family.

Sec. 421. NRS 482.3749 is hereby amended to read as follows:

482.3749 1. The Department shall, using any colors and designs that the Department deems appropriate, design, prepare and issue license plates which indicate status as a hall of fame athlete. The design of the license plates must include the words "hall of fame."



2. The Department shall issue license plates that indicate status as a hall of fame athlete for a passenger car or a light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate status as a hall of fame athlete if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate status as a hall of fame athlete.

3. An application for the issuance or renewal of license plates that indicate status as a hall of fame athlete is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of identity and status as a hall of fame athlete.

4. In addition to all other applicable registration and license fees and governmental services taxes:

(a) A person who requests license plates that indicate status as a hall of fame athlete shall pay a fee to the Department of \$35.

(b) License plates that indicate status as a hall of fame athlete are renewable upon the payment to the Department of \$10.

5. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and:

(a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

6. As used in this section, "hall of fame athlete" means a current or former athlete who has been inducted into a hall of fame pertaining to the sport in which the athlete participates or participated, including, but not limited to:

(a) The National Baseball Hall of Fame, located in Cooperstown, New York.

(b) The Basketball Hall of Fame, located in Springfield, Massachusetts.

(c) The Pro Football Hall of Fame, located in Canton, Ohio.

(d) The Hockey Hall of Fame, located in Toronto, Ontario, Canada.

(e) The National Soccer Hall of Fame, located in Oneonta, New York.



(f) The International Tennis Hall of Fame, located in Newport, Rhode Island.

(g) The Pro Rodeo Hall of Fame, located in Colorado Springs, Colorado.

(h) Any hall of fame which has been established at a university, state college or community college within **the University of Nevada** or the Nevada System of Higher Education.

Sec. 422. NRS 482.3823 is hereby amended to read as follows:

482.3823 1. An educational institution may operate on the highways of this State an unregistered motor vehicle otherwise required to be registered pursuant to this chapter if there is displayed on the vehicle a special license plate assigned to the educational institution pursuant to subsection 2. Such operation is strictly limited to movement of the vehicle:

(a) From one educational institution to another educational institution;

(b) From the educational institution to an established place of business which specializes in particular automotive repairs; and

(c) Which is necessary to test the vehicle under practical operating conditions on the road.

2. Upon application by an educational institution, submission of such evidence of qualification as is determined necessary by the Director and payment of the applicable fee, the Department shall assign to the educational institution one or more sets of special license plates for use on educational vehicles. The Department shall charge and collect a fee of \$5 for each set of special license plates issued pursuant to this section. The plates are valid for 1 year. The fee for renewal is \$5.

3. Any unauthorized use of special license plates issued pursuant to this section is cause for the Department to revoke all sets of those plates issued to the educational institution. Unauthorized use of the plates includes:

(a) Display on a vehicle which is not an educational vehicle; and

(b) Movement of an educational vehicle in any manner not authorized in subsection 1.

4. Each special plate issued pursuant to this section must have displayed upon it suitable characters, as determined by the Department, to identify the vehicle as an educational vehicle. The special plates may be used interchangeably on educational vehicles by the educational institution to which the plates were issued.

5. As used in this section:

(a) “Educational institution” means:

(1) A public school as that term is defined in NRS 385.007;

or



(2) One of the branches or facilities within *the University of Nevada* or the Nevada System of Higher Education, which offers a course of instruction in automotive repair and owns or controls an educational vehicle.

(b) "Educational vehicle" means any motor vehicle which is owned or controlled by an educational institution and used exclusively for the purposes of a course of instruction in automotive repair. The term does not include any motor vehicle:

(1) Used by the educational institution for any purpose not directly related to a course of instruction in automotive repair.

(2) Owned by a pupil, student or employee of the educational institution.

Sec. 423. NRS 487.210 is hereby amended to read as follows:

487.210 As used in NRS 487.210 to 487.300, inclusive, unless the context otherwise requires:

1. "Abandoned vehicle" means a vehicle:

(a) If the vehicle is discovered upon public lands, that the owner has discarded.

(b) If the vehicle is discovered upon public or private property other than public lands:

(1) That the owner has discarded; or

(2) Which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 15 days after notification pursuant to NRS 487.250.

2. "Public lands" means all lands within the exterior boundaries of the State of Nevada except lands:

(a) To which title is held by any private person or entity;

(b) To which title is held by the State of Nevada, any of its local governments, *the University of Nevada* or the Nevada System of Higher Education;

(c) Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges or which are lands acquired by purchase consented to by the Legislature;

(d) Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or

(e) Which are held in trust for Indian purposes or are Indian reservations.

Sec. 424. NRS 503.452 is hereby amended to read as follows:

503.452 1. Except as otherwise provided in subsections 2 and 3, each trap, snare or similar device used by a person in the taking of wild mammals must be registered with the Department before it is used. Each registered trap, snare or similar device must bear a number which is assigned by the Department and is clearly stamped on the trap, snare or similar device or on a metal tag that is attached to the trap, snare or similar device. The registration of a trap, snare



1 or similar device is valid until the trap, snare or similar device is
2 sold or ownership of the trap, snare or similar device is otherwise
3 transferred. For each trap, snare or similar device registered with the
4 Department, the person registering the trap, snare or similar device
5 must pay a registration fee of \$5.

6 2. Except as otherwise provided in subsection 3, if a trap, snare
7 or similar device is not registered with the Department pursuant to
8 subsection 1, before it can be used in the taking of wild animals, it
9 must have the name and address of the person who owns the trap,
10 snare or similar device:

11 (a) Clearly stamped upon the trap, snare or similar device; or

12 (b) On a metal tag that is attached to the trap, snare or similar
13 device.

14 3. The provisions of subsections 1 and 2 do not apply to a trap,
15 snare or similar device used:

16 (a) Exclusively on private property which is posted or fenced in
17 accordance with the provisions of NRS 207.200 by the owner or
18 occupant of the property or with the permission of the owner or
19 occupant;

20 (b) For the control of rodents by an institution of *the University*
21 *of Nevada* or the Nevada System of Higher Education;

22 (c) By any federal, state or local governmental agency; or

23 (d) For the taking of wild mammals for scientific or educational
24 purposes under a permit issued by the Department pursuant to
25 NRS 503.650.

26 4. It is unlawful:

27 (a) For a person to whom a trap, snare or similar device is
28 registered to allow another person to possess or use the trap, snare or
29 similar device without providing to that person written authorization
30 to possess or use the trap, snare or similar device.

31 (b) For a person to possess or use a trap, snare or similar device
32 registered to another person without obtaining the written
33 authorization required pursuant to paragraph (a). If a person obtains
34 written authorization to possess or use a trap, snare or similar device
35 pursuant to paragraph (a), the person shall ensure that the written
36 authorization, together with his or her trapping license, is in his or
37 her possession during any period in which he or she uses the trap,
38 snare or similar device to take fur-bearing mammals.

39 5. A person to whom a trap, snare or similar device is
40 registered pursuant to this section shall report any theft of the trap,
41 snare or similar device to the Department as soon as it is practical to
42 do so after the person discovers the theft.

43 6. Any information in the possession of the Department
44 concerning the registration of a trap, snare or similar device is



confidential and the Department shall not disclose that information unless required to do so by law or court order.

7. If a trap, snare or similar device has been used exclusively on private property pursuant to paragraph (a) of subsection 3, before the trap, snare or similar device is used on any public land in this State, the owner of the trap, snare or similar device must:

(a) Register the trap, snare or similar device pursuant to subsection 1; or

(b) Pursuant to subsection 2, have his or her name and address:

(1) Clearly stamped on the trap, snare or similar device; or

(2) On a metal tag that is attached to the trap, snare or similar device.

Sec. 425. NRS 504.165 is hereby amended to read as follows:

504.165 1. The Commission shall adopt regulations governing the disbursement of money to:

(a) Prevent or mitigate damage to private property and privately maintained improvements, including, without limitation, fences;

(b) Prevent or mitigate damage to fences on public lands;

(c) Construct fences around sources of water on private lands or public lands where there has been damage to the area near such sources of water; and

(d) Compensate persons for grazing reductions and the loss of stored and standing crops,

➤ caused by elk or game mammals not native to this State.

2. The regulations must contain:

(a) Requirements for the eligibility of those persons claiming damage to private property, privately maintained improvements, fences on public lands or areas near sources of water on public lands to receive money or materials from the Department, including:

(1) A requirement that such a person enter into a cooperative agreement with the Director for purposes related to this title; and

(2) A requirement that if the claim is for money or materials from the Department for the construction of a fence around a source of water on private land or public land, such a person must:

(I) Conduct a physical inspection of the private land or public land upon which the fence is proposed to be constructed to determine the most effective manner in which to protect the source of water and to determine the most effective manner in which to provide access to a source of water for livestock and wildlife that is located outside the fence and within a reasonable distance from the fence;

(II) Conduct the inspection described in sub-subparagraph (I) in consultation with the persons or entities which will be directly affected by the construction of the fence, including, without limitation, an owner of the private land on which the fence is



proposed to be constructed, a governmental entity that manages the public land on which the fence is proposed to be constructed, a holder of a permit to graze livestock on the public land, if applicable, and a person who holds a water right which will be directly affected by the construction of the fence; and

(III) Enter into a cooperative agreement with the persons and entities described in sub-subparagraph (II) for purposes related to the construction of the fence in accordance with the results of the inspection conducted pursuant to this subparagraph.

(b) Procedures for the formation of local panels to assess damage caused by elk or game mammals not native to this State and to determine the value of a loss claimed if the person claiming the loss and the Department do not agree on the value of the loss.

(c) Procedures for the use on private property or public lands of materials purchased by the State to prevent damage caused by elk or game mammals not native to this State.

(d) Any other regulations necessary to carry out the provisions of this section and NRS 504.155.

3. The regulations must:

(a) Provide for the payment of money or other compensation to cover the costs of labor and materials necessary to:

(1) Prevent or mitigate damage to private property, privately maintained improvements and fences on public lands caused by elk or game mammals not native to this State; and

(2) Construct fences around sources of water on private or public lands if:

(I) Elk or game mammals not native to this State have caused damage to the area near such sources of water; and

(II) A source of water for livestock and wildlife is available outside such a fence and within a reasonable distance from such a fence or will be made available at such a location.

(b) Prohibit a person who has, within a particular calendar year, applied for or received a special incentive elk tag pursuant to NRS 502.142 from applying, within the same calendar year, for compensation pursuant to this section for the same private land.

4. Money may not be disbursed to a claimant pursuant to this section unless the claimant shows by a preponderance of the evidence that the damage for which the claimant is seeking compensation was caused solely by elk or game mammals not native to this State.

5. As used in this section, "public lands" means all lands within the exterior boundaries of the State of Nevada except lands:

(a) To which title is held by any private person or entity;



(b) To which title is held by the State of Nevada, any of its local governments, *the University of Nevada* or the Nevada System of Higher Education;

(c) Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges, or which are lands acquired by purchase consented to by the Legislature;

(d) Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or

(e) Which are held in trust for Indian purposes or are Indian reservations.

Sec. 426. NRS 514.010 is hereby amended to read as follows:

514.010 There is hereby established a Bureau of Mines and Geology of the State of Nevada which shall be in the Public Service Division of the *University of Nevada*. ~~{System of Higher Education.}~~

Sec. 427. NRS 514A.060 is hereby amended to read as follows:

514A.060 Notwithstanding any other provision of law, the Commission shall provide oversight of compliance with Nevada law relating to the activities of each state agency, board, bureau, commission, department or division with respect to the taxation, operation, safety and environmental regulation of mines and mining in this State, including, without limitation, the activities of:

1. The Nevada Tax Commission and the Department of Taxation in the taxation of the net proceeds of minerals pursuant to chapter 362 of NRS and Section 5 of Article 10 of the Nevada Constitution.

2. The Division of Industrial Relations of the Department of Business and Industry in administering the provisions of chapter 512 of NRS concerning the safe and healthful working conditions at mines.

3. The Commission on Mineral Resources and the Division of Minerals of the Commission in the administration of the provisions of chapters 513 and 522 of NRS concerning the conduct of mining operations and operations for the production of oil, gas and geothermal energy in the State.

4. The Bureau of Mines and Geology of the State of Nevada in the Public Service Division of the *University of Nevada* ~~{System of Higher Education}~~ in its administration of the provisions of chapter 514 of NRS.

5. The Division of Environmental Protection of the State Department of Conservation and Natural Resources in its administration of the provisions of chapter 519A of NRS concerning the reclamation of mined land, areas of exploration and former areas of mining or exploration.



Sec. 428. NRS 527.330 is hereby amended to read as follows:

527.330 1. The Board of Regents of the University of Nevada shall establish a state arboretum at each of the ~~universities within~~ *campuses of the University of Nevada* ~~[System of Higher Education]~~ to increase the knowledge and appreciation of the public of flora indigenous to Nevada and from other areas and to provide a place where they may be planted and cultivated as memorials.

2. The Board of Regents shall adopt regulations for the establishment and maintenance of the arboreta.

Sec. 429. NRS 528.115 is hereby amended to read as follows:

528.115 1. The Division, subject to the approval of the Director, may:

(a) Enter into cooperative agreements with research organizations providing for the use of Division facilities for the development of needed information concerning the propagation, establishment, protection, maintenance and use of conservation plant materials; and

(b) Enter into contracts with established research organizations to obtain such information.

2. The Director and the *University of Nevada or Nevada System of Higher Education* may enter into a cooperative agreement providing for the dissemination of information obtained by the Division pursuant to subsection 1.

Sec. 430. NRS 543.550 is hereby amended to read as follows:

543.550 1. There is hereby granted to a district the right-of-way for the construction and maintenance of floodways, ditches, waterways, conduits, canals, dikes, embankments, basins for retention or detention of water and protective works in, over and across public lands of the State of Nevada not otherwise disposed of or in use, but not in any case exceeding the length or width necessary for the construction of those works and adjuncts or for the protection thereof.

2. Whenever any selection of right-of-way for those works or adjuncts is made by the district, the board shall transmit to the Division of State Lands of the State Department of Conservation and Natural Resources and any other agency or entity of the state owning land in the area, including *the University of Nevada*, the Nevada System of Higher Education and the Colorado River Commission of Nevada, and to the county recorder of the county in which the selected lands are situated a plat of the lands so selected, giving the extent thereof and the uses for which they are claimed or desired, verified to be correct.

3. If the Division of State Lands of the State Department of Conservation and Natural Resources approves the selection so



made, it must be endorsed upon the plat and a permit must be issued to use the rights-of-way and land.

Sec. 431. NRS 544.060 is hereby amended to read as follows:

544.060 In carrying out the purposes of NRS 544.010 to 544.060, inclusive, the Director shall utilize to the fullest possible extent the facilities and technical resources of the Desert Research Institute of the **University of** Nevada . ~~{System of Higher Education.}~~

Sec. 432. NRS 549.010 is hereby amended to read as follows:

549.010 To provide for continued educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada, the Director of the Agricultural Extension Department of the Public Service Division of the **University of** Nevada ~~{System of Higher Education}~~ and the boards of county commissioners of any or all of the respective counties of the State of Nevada may enter into cooperative agreements and activities subject to the provisions of this chapter.

Sec. 433. NRS 549.020 is hereby amended to read as follows:

549.020 1. The Director of the Agricultural Extension Department of the Public Service Division of the **University of** Nevada ~~{System of Higher Education}~~ shall prepare and submit to the board of county commissioners, for each county participating, an annual financial budget covering the county, state and federal funds cooperating in the cost of educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada.

2. The budget must be adopted by the board of county commissioners and certified as a part of the annual county budget, and the county tax levy provided for agricultural extension work in the annual county budget must include a levy of not less than 1 cent on each \$100 of taxable property. If the proceeds of the county tax levy of 1 cent are insufficient to meet the county's share of the cooperative agricultural extension work, as provided in the combined annual financial budget, the board of county commissioners may, by unanimous vote, levy an additional tax so that the total in no instance exceeds 5 cents on each \$100 of the county tax rate.

3. The proceeds of such a tax must be placed in the agricultural extension fund in each county treasury and must be paid out on claims drawn by the agricultural extension agent of the county as designated by the Director of the Agricultural Extension Department



of the Public Service Division of the *University of Nevada* , ~~{System of Higher Education.}~~ when approved by the Director and countersigned by the Treasurer of the *University of Nevada* . ~~{System of Higher Education.}~~

4. A record of all such claims approved and paid, segregated by counties, must be kept by the Treasurer of the *University of Nevada* . ~~{System of Higher Education.}~~ The cost of maintaining the record must be paid from state funds provided for by this chapter.

5. The State's cooperative share of the cost of such agricultural extension work, as entered in the budget described in this section, must not be more than a sum equal to the proceeds of 1 cent of such county tax rate; but when the proceeds of a 1-cent tax rate are insufficient to carry out the provisions of the budget previously adopted, the Director of the Agricultural Extension Department of the Public Service Division of the *University of Nevada* ~~{System of Higher Education.}~~ is authorized to supplement the State's cooperative share from the funds as may be made available in the Public Service Division Fund of the *University of Nevada* . ~~{System of Higher Education.}~~

Sec. 434. NRS 549.030 is hereby amended to read as follows:

549.030 1. A certified copy of the county extension work budget as adopted and approved pursuant to NRS 549.020 must be filed with the Treasurer of the *University of Nevada* ~~{System of Higher Education.}~~ within 10 days after its approval by the board of county commissioners.

2. Necessary modifications thereof, involving county and state funds, resulting from leaves of absence without pay, resignations, changes in salary, dismissals or employment of any cooperative agent, variations in expense accounts or otherwise, not involving an increase in the total expenditures provided to be paid from the funds and consistent with the purposes of this chapter, may be made by filing with the Treasurer of the *University of Nevada* ~~{System of Higher Education.}~~ and the board of county commissioners a revised budget, approved by the Director of the Agricultural Extension Department of the Public Service Division of the *University of Nevada* ~~{System of Higher Education.}~~ and countersigned by the Treasurer of the *University of Nevada* . ~~{System of Higher Education.}~~

Sec. 435. NRS 549.050 is hereby amended to read as follows:

549.050 All moneys appropriated pursuant to NRS 549.040 must be expended under the direction of the Director of the Agricultural Extension Department of the Public Service Division of the *University of Nevada* ~~{System of Higher Education.}~~ to the extent of the financial budget for cooperation between the State and the respective counties provided for in NRS 549.020.



Sec. 436. NRS 550.010 is hereby amended to read as follows:
550.010 As used in this chapter, unless the context otherwise requires:

1. “Board of Regents” means the Board of Regents of the University of Nevada.

2. “Director” means the Director of the Agricultural Extension Department of the Public Service Division of the **University of Nevada**. ~~{System of Higher Education.}~~

3. “State 4-H Camp” means the State 4-H Camp Institute and Exhibit.

Sec. 437. NRS 553.040 is hereby amended to read as follows:

553.040 1. Every agricultural demonstration farm or plot under the provisions of this chapter must be conducted by the owner, lessee or manager thereof under the supervision of the Agricultural Extension Department of the Public Service Division of the **University of Nevada** ~~{System of Higher Education}~~ and in accordance with the terms of a written project agreement entered into with the Agricultural Extension Department of the Public Service Division of the **University of Nevada** ~~{System of Higher Education}~~ and approved by the board of county commissioners of the county in which the agricultural farm or plot is located.

2. The agreement must include the keeping by the owner, lessee or manager of accurate and systematic records and accounts in the form prescribed by the Agricultural Extension Department of the Public Service Division of the **University of Nevada**. ~~{System of Higher Education.}~~ The records and accounts must be subject to inspection, use and publication in furtherance of the purposes of this chapter.

Sec. 438. NRS 553.050 is hereby amended to read as follows:

553.050 1. The purpose of demonstration farms is to demonstrate the results of improved systems of farm management and accountancy as prescribed by the Agricultural Extension Department of the Public Service Division of the **University of Nevada** ~~{System of Higher Education}~~ and applied to the farm units.

2. The purpose of demonstration plots is to demonstrate the value and importance of new or improved varieties of crops, soil management and soil and climate adaptability to certain crops.

Sec. 439. NRS 553.070 is hereby amended to read as follows:

553.070 1. Any county desiring to avail itself of the provisions of this chapter shall, by resolution of its board of county commissioners, bind itself to pay to the owner, lessee or manager of the demonstration farm or plot as follows:

(a) For each demonstration farm, the sum of \$10 per acre, but not exceeding the sum of \$100 for any such demonstration farm unit.



(b) For any demonstration plot, a minimum of \$25 if it is less than 3 acres, and \$10 per acre if it contains 3 acres or more.

2. The sums must be paid annually for each year the demonstration is to be continued on the certification by the Agricultural Extension Department of the Public Service Division of the **University of Nevada** ~~{System of Higher Education}~~ that the demonstration has been conducted in accordance with the agreement.

3. A county is not obligated under the provisions of this section, except with respect to demonstration farms and plots which have been approved by the board of county commissioners as provided in NRS 553.040.

4. The authority to provide for such expenditure in the county budget and to disburse the money is hereby granted to the board of county commissioners and the other officers of the several counties.

Sec. 440. NRS 553.090 is hereby amended to read as follows:

553.090 The Agricultural Extension Department of the Public Service Division of the **University of Nevada** ~~{System of Higher Education}~~ annually shall prepare the information resulting from the demonstration in a form serviceable to aid and advance agricultural welfare of the State. The Agricultural Extension Department shall cause to be printed a number of copies thereof as may be deemed necessary, not exceeding 10,000, and shall distribute the copies without charge.

Sec. 441. NRS 555.410 is hereby amended to read as follows:

555.410 The Director may, in cooperation with **the University of Nevada or** the Nevada System of Higher Education, publish information regarding injury which may result from improper application or handling of pesticides and methods and precautions designed to prevent such an injury.

Sec. 442. NRS 563.100 is hereby amended to read as follows:

563.100 1. The Nevada Junior Livestock Show Board shall each year conduct the Nevada Junior Livestock Show and the Nevada Youth Livestock and Dairy Show at places to be determined by the Board.

2. To enter any exhibition named in subsection 1, a person must:

(a) Be certified by the State 4-H Club Leader or the agriculture education program professional at the Department of Education; and

(b) Be under 19 years of age except that the Board, upon considering the requirements of a specific event involved may allow entry by a person 19 years of age or older who is registered as a regular student in an animal science course under **the University of Nevada or** the Nevada System of Higher Education.



3. Entries of animals in any exhibition named in subsection 1 are limited to those owned or controlled according to the requirements of the exhibition.

Sec. 443. NRS 597.245 is hereby amended to read as follows:

597.245 1. A person may operate an instructional wine-making facility if the person:

(a) Obtains a license for the facility pursuant to chapter 369 of NRS;

(b) Complies with the requirements of this section; and

(c) Complies with any other applicable governmental requirements for the operation of such a facility, including, without limitation, compliance with all applicable federal bonding, permitting and other requirements for the production, blending, treatment, storage and bottling of wine.

2. A person who is licensed to operate an instructional wine-making facility may:

(a) Engage in the process of wine making on the premises of the facility;

(b) Charge a fee to other persons of legal age for the purpose of providing those persons with instruction and the opportunity to participate directly in the process of wine making on the premises of the facility; and

(c) Serve wine produced on the premises of the facility by the glass for consumption on the premises of the facility.

3. Wine produced on the premises of an instructional wine-making facility must be:

(a) Used, consumed or disposed of on the premises of the facility; or

(b) Distributed from the facility to a person of legal age who has participated directly in the process of wine making on the premises of the facility for the person's own household or personal use. That person:

(1) May distribute the wine to any other person of legal age as a gift.

(2) Shall not remove from the facility:

(I) Any wine other than that which the person participated directly in the process of making on the premises of the facility.

(II) More than 60 gallons of wine during any period of 12 months.

4. Except as otherwise permitted by this section, if a person knows or reasonably should know that wine was produced on the premises of an instructional wine-making facility, the person shall not:



(a) Directly or indirectly or through any other person, sell, offer to sell or solicit the purchase or sale of such wine at wholesale or retail; or

(b) Use such wine for any purpose other than for the person's own household or personal use.

5. A person who violates any provision of this section is guilty of a misdemeanor.

6. As used in this section:

(a) "Instructional wine-making facility" means any facility that, for a fee, provides a person of legal age with instruction and the opportunity to participate directly in the process of wine making on the premises of the facility. The term does not include:

(1) A wine maker or winery that is licensed pursuant to chapter 369 of NRS.

(2) A university, state college or community college that is part of *the University of Nevada* or the Nevada System of Higher Education or any other postsecondary educational institution that is licensed by a federal or state agency and is accredited by a nationally recognized educational accrediting association.

(b) "Process of wine making" means the usual and customary steps taken to produce wine. Such steps may include, without limitation:

(1) Growing, buying and importing agricultural products and ingredients.

(2) Selecting, preparing and processing agricultural products and ingredients.

(3) Barreling, fermenting, aging, filtering, bottling, labeling, racking, warehousing and storing.

(4) Importing bulk wine or juice from a bonded winery in another state, to be fermented into wine or, if already fermented, to be blended with other wine and aged in a suitable cellar.

Sec. 444. NRS 610.030 is hereby amended to read as follows:

610.030 There is hereby created the State Apprenticeship Council composed of:

1. The following voting members, appointed by the Governor upon recommendation of the Labor Commissioner:

(a) Two members who represent management and have, or have had, a defined role in a jointly administered apprenticeship program, one of whom must be from northern Nevada and one of whom must be from southern Nevada.

(b) Two members who represent labor and have, or have had, a defined role in a jointly administered apprenticeship program, one of whom must be from northern Nevada and one of whom must be from southern Nevada.



(c) Two members, one who represents management and one who represents labor, who have, or have had, a defined role or job in a statewide, jointly administered apprenticeship program.

(d) One member who is a representative of the general public.

2. The following nonvoting members:

(a) The Executive Director of the Office of Economic Development or his or her designee.

(b) The Superintendent of Public Instruction or his or her designee.

(c) One representative of a community college located in a county whose population is 700,000 or more, appointed by the ~~{Chancellor}~~ **Director** of the Nevada ~~{System}~~ **Office** of Higher Education ~~{Administrative Services}~~.

(d) One representative of a community college located in a county whose population is less than 700,000, appointed by the ~~{Chancellor}~~ **Director** of the Nevada ~~{System}~~ **Office** of Higher Education ~~{Administrative Services}~~.

Sec. 445. NRS 610.040 is hereby amended to read as follows:

610.040 1. Each voting member of the Council shall serve for a term of 3 years, so long as the member has the qualifications required by NRS 610.030. A member of the Council who no longer has the qualifications specified in NRS 610.030 under which the member was appointed shall continue to serve on the Council until the member's successor is appointed. A voting member may not serve more than four terms.

2. The voting members of the Council serve at the pleasure of the Governor.

3. The nonvoting members of the Council appointed pursuant to paragraphs (c) and (d) of subsection 2 of NRS 610.030 serve at the pleasure of the ~~{Chancellor}~~ **Director** of the Nevada ~~{System}~~ **Office** of Higher Education ~~{Administrative Services}~~.

Sec. 446. NRS 612.265 is hereby amended to read as follows:

612.265 1. Except as otherwise provided in this section and NRS 239.0115, 607.217 and 612.642, information obtained from any employing unit or person pursuant to the administration of this chapter, any determination as to the benefit rights of any person and any information relating to the contributions paid by an employing unit under this chapter is confidential and may not be disclosed or be open to public inspection in any manner.

2. The Administrator may disclose any confidential information in accordance with the requirements enumerated in 20 C.F.R. Part 603 or any successor regulation and any written guidance promulgated and issued by the United States Department of Labor consistent with 20 C.F.R. Part 603.



3. The Administrator may, in accordance with a cooperative agreement among all participants in the statewide longitudinal data system developed pursuant to NRS 400.037 and administered pursuant to NRS 232.975, make the information obtained by the Division available to:

(a) ~~[The Board of Regents of the University of Nevada]~~ *Each higher education governing body* for the purpose of complying with the provisions of subsection 4 of NRS 396.531; and

(b) The Director of the Department of Employment, Training and Rehabilitation for the purpose of complying with the provisions of paragraph (d) of subsection 1 of NRS 232.920.

4. The Administrator may publish aggregate statistics and information on employers, their type or class of business or industry and the approximate number of employees employed by such employers, if the information released will assist unemployed persons to obtain employment or will be generally useful in developing and diversifying the economic interests of this State. Upon request by a state agency which is able to demonstrate that its intended use of the information will benefit the residents of this State, the Administrator may, in addition to the information listed in this subsection, disclose the number of employees employed by each employer and the total wages paid by each employer. The Administrator may charge a fee to cover the actual costs of any administrative expenses relating to the disclosure of this information.

5. To further a current criminal investigation, the chief executive officer of any law enforcement agency of this State, another state or the Federal Government may submit a written request to the Administrator that the Administrator furnish, from the records of the Division, the name, address and place of employment of any person listed in the records of employment of the Division. The request must set forth the social security number of the person about whom the request is made and contain a statement signed by the chief executive officer certifying that the request is made to further a criminal investigation currently being conducted by the agency. Upon receipt of such a request, the Administrator shall furnish the information requested. The Administrator may charge a fee to cover the actual costs of any related administrative expenses.

6. In response to a request from a court official with subpoena authority, the Administrator shall, in compliance with 20 C.F.R. Part 603, and any other applicable federal laws and regulations governing the Division, furnish the name, address and date of birth of persons who receive benefits in any county or city for use in the selection of trial jurors pursuant to NRS 6.045.



7. The Division of Industrial Relations of the Department of Business and Industry shall periodically submit to the Administrator, from information in the index of claims established pursuant to NRS 616B.018, a list containing the name of each person who received benefits pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS. Upon receipt of that information, the Administrator shall compare the information so provided with the records of the Employment Security Division regarding persons claiming benefits pursuant to this chapter for the same period. The information submitted by the Division of Industrial Relations must be in a form determined by the Administrator and must contain the social security number of each such person. If it appears from the information submitted that a person is simultaneously claiming benefits under this chapter and under chapters 616A to 616D, inclusive, or chapter 617 of NRS, the Administrator shall notify the Attorney General or any other appropriate law enforcement agency.

8. The Administrator may request the Comptroller of the Currency of the United States to cause an examination of the correctness of any return or report of any national banking association rendered pursuant to the provisions of this chapter, and may in connection with the request transmit any such report or return to the Comptroller of the Currency of the United States as provided in section 3305(c) of the Internal Revenue Code of 1954.

9. The Administrator, any employee or other person acting on behalf of the Administrator, or any employee or other person acting on behalf of an agency or entity allowed to access information obtained from any employing unit or person in the administration of this chapter, or any person who has obtained a list of applicants for work, or of claimants or recipients of benefits pursuant to this chapter, is guilty of a gross misdemeanor if he or she:

(a) Uses or permits the use of the list for any political purpose;

(b) Uses or permits the use of the list for any purpose other than one authorized by the Administrator or by law; or

(c) Fails to protect and prevent the unauthorized use or dissemination of information derived from the list.

10. All letters, reports or communications of any kind, oral, written or electronic, from the employer or employee to each other or to the Division or any of its agents, representatives or employees are confidential and must not be the subject matter or basis for any lawsuit if the letter, report or communication is written, sent, delivered or prepared pursuant to the requirements of this chapter.

11. As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.



Sec. 447. NRS 616A.190 is hereby amended to read as follows:

616A.190 **1.** Members of state, county and local departments, boards, commissions, agencies or bureaus, whether elected or appointed, who serve without compensation or who receive less than \$250 per month compensation, the members of the State Board of Education, adjunct professors of *the University of Nevada* or the Nevada System of Higher Education and the members of ~~the Board of Regents of the University of Nevada,~~ *any higher education governing body*, while engaged in their designated duties as members and adjunct professors, shall be deemed, for the purpose of chapters 616A to 616D, inclusive, of NRS, employees receiving a wage of \$250 per month and, in the event of injury while performing their designated duties, are entitled to the benefits of those chapters.

2. *As used in this section, "higher education governing body" has the meaning ascribed to it in NRS 396.005.*

Sec. 448. NRS 617.135 is hereby amended to read as follows:

617.135 "Police officer" includes:

1. A sheriff, deputy sheriff, officer of a metropolitan police department or city police officer;

2. A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;

3. A chief, investigator or agent of the Investigation Division of the Department of Public Safety;

4. A chief, supervisor, investigator or training officer of the Training Division of the Department of Public Safety;

5. A chief or investigator of an office of the Department of Public Safety that conducts internal investigations of employees of the Department of Public Safety or investigates other issues relating to the professional responsibility of those employees;

6. A chief or investigator of the Department of Public Safety whose duties include, without limitation:

(a) The execution, administration or enforcement of the provisions of chapter 179A of NRS; and

(b) The provision of technology support services to the Director and the divisions of the Department of Public Safety;

7. An officer or investigator of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles;

8. An investigator of the Division of Compliance Enforcement of the Department of Motor Vehicles;

9. A member of ~~the~~ a police department ~~of the Nevada System of Higher Education;~~ *created pursuant to NRS 396.325;*



10. A:

(a) Uniformed employee of; or

(b) Forensic specialist employed by,

↳ the Department of Corrections whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies;

11. A parole and probation officer of the Division of Parole and Probation of the Department of Public Safety;

12. A forensic specialist or correctional officer employed by the Division of Public and Behavioral Health of the Department of Health and Human Services at facilities for mentally disordered offenders;

13. The State Fire Marshal and his or her assistant and deputies;

14. A game warden of the Department of Wildlife who has the powers of a peace officer pursuant to NRS 289.280;

15. A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260;

16. A bailiff or a deputy marshal of the district court or justice court whose duties require him or her to carry a weapon and to make arrests; and

17. An agricultural police officer appointed by the Director of the State Department of Agriculture pursuant to NRS 561.225 who has the powers of a peace officer pursuant to NRS 289.290.

Sec. 449. NRS 631.271 is hereby amended to read as follows:

631.271 1. The Board shall, without a clinical examination required by NRS 631.240, 631.300 or 631.3121, issue a limited license to practice dentistry, dental hygiene or dental therapy to a person who:

(a) Is qualified for a license to practice dentistry, dental hygiene or dental therapy in this State;

(b) Pays the required application fee;

(c) Has entered into a contract with:

(1) The *University of Nevada or the* Nevada System of Higher Education to provide services as a dental intern, dental resident or instructor of dentistry, dental hygiene or dental therapy at an educational or outpatient clinic, hospital or other facility of *the University of Nevada or* the Nevada System of Higher Education; or

(2) An accredited program of dentistry, dental hygiene or dental therapy of an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education to provide services as a dental intern, dental resident or instructor of dentistry, dental



1 hygiene or dental therapy at an educational or outpatient clinic,
2 hospital or other facility of the institution and accredited by the
3 Commission on Dental Accreditation of the American Dental
4 Association or its successor specialty accrediting organization;

5 (d) Satisfies the requirements of NRS 631.230, 631.290 or
6 631.312, as appropriate; and

7 (e) Satisfies at least one of the following requirements:

8 (1) Has a license to practice dentistry, dental hygiene or
9 dental therapy issued pursuant to the laws of another state or
10 territory of the United States, or the District of Columbia;

11 (2) Presents to the Board a certificate granted by the Western
12 Regional Examining Board which contains a notation that the
13 person has passed, within the 5 years immediately preceding
14 the date of the application, a clinical examination administered by
15 the Western Regional Examining Board;

16 (3) Successfully passes a clinical examination approved by
17 the Board and the American Board of Dental Examiners; or

18 (4) Has the educational or outpatient clinic, hospital or other
19 facility where the person will provide services as a dental intern or
20 dental resident in an internship or residency program submit to the
21 Board written confirmation that the person has been appointed to a
22 position in the program. If a person qualifies for a limited license
23 pursuant to this subparagraph, the limited license remains valid only
24 while the person is actively providing services as a dental intern or
25 dental resident in the internship or residency program and is in
26 compliance with all other requirements for the limited license.

27 2. The Board shall not issue a limited license to a person:

28 (a) Who has been issued a license to practice dentistry, dental
29 hygiene or dental therapy if:

30 (1) The person is involved in a disciplinary action concerning
31 the license; or

32 (2) The license has been revoked or suspended; or

33 (b) Who has been refused a license to practice dentistry, dental
34 hygiene or dental therapy,

35 ➤ in this State, another state or territory of the United States, or the
36 District of Columbia.

37 3. Except as otherwise provided in subsection 4, a person to
38 whom a limited license is issued pursuant to subsection 1:

39 (a) May practice dentistry, dental hygiene or dental therapy in
40 this State only:

41 (1) At the educational or outpatient clinic, hospital or other
42 facility where the person is employed; and

43 (2) In accordance with the contract required by paragraph (c)
44 of subsection 1.



(b) Shall not, for the duration of the limited license, engage in the private practice of dentistry, dental hygiene or dental therapy in this State or accept compensation for the practice of dentistry, dental hygiene or dental therapy except such compensation as may be paid to the person by *the University of Nevada*, the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene or dental therapy for services provided as a dental intern, dental resident or instructor of dentistry, dental hygiene or dental therapy pursuant to paragraph (c) of subsection 1.

4. The Board may issue a permit authorizing a person who holds a limited license to engage in the practice of dentistry, dental hygiene or dental therapy in this State and to accept compensation for such practice as may be paid to the person by entities other than *the University of Nevada*, the Nevada System of Higher Education or an accredited program of dentistry, dental hygiene or dental therapy with whom the person is under contract pursuant to paragraph (c) of subsection 1. The Board shall, by regulation, prescribe the standards, conditions and other requirements for the issuance of a permit.

5. A limited license expires 1 year after its date of issuance and may be renewed on or before the date of its expiration, unless the holder no longer satisfies the requirements for the limited license. The holder of a limited license may, upon compliance with the applicable requirements set forth in NRS 631.330 and the completion of a review conducted at the discretion of the Board, be granted a renewal certificate that authorizes the continuation of practice pursuant to the limited license for 1 year.

6. A permit issued pursuant to subsection 4 expires on the date that the holder's limited license expires and may be renewed when the limited license is renewed, unless the holder no longer satisfies the requirements for the permit.

7. Within 7 days after the termination of a contract required by paragraph (c) of subsection 1, the holder of a limited license shall notify the Board of the termination, in writing, and surrender the limited license and a permit issued pursuant to this section, if any, to the Board.

8. The Board may revoke a limited license and a permit issued pursuant to this section, if any, at any time if the Board finds, by a preponderance of the evidence, that the holder of the license violated any provision of this chapter or the regulations of the Board.

Sec. 450. NRS 632.2856 is hereby amended to read as follows:

632.2856 1. The training program required for certification as a nursing assistant must consist of 75 hours of instruction. The



1 program must include no less than 60 hours of theory and learning
2 skills in a laboratory setting.

3 2. Except as otherwise provided in this subsection, the
4 instructor of the program must be a registered nurse with:

5 (a) Three years of nursing experience which includes direct care
6 of patients and supervision and education of members of the staff;
7 and

8 (b) Proof of successful completion of training for instructors
9 which has been approved by the Board.

10 ➤ The Board may approve a licensed practical nurse as an instructor
11 if the Board determines that requiring instruction by a registered
12 nurse would create a hardship.

13 3. Except as otherwise provided in NRS 622.090, upon
14 completion of the program, a nursing assistant trainee must pass a
15 test in theory with an overall score of 80 percent and a test of skills
16 on a pass or fail basis. The test of skills must be given by a
17 registered nurse. If the nursing assistant trainee fails either of the
18 tests, the nursing assistant trainee must repeat the training in the
19 areas in which he or she was deficient before taking the certification
20 examination.

21 4. In a program which is based in a facility, a nursing assistant
22 trainee may only perform those tasks he or she has successfully
23 completed in the training program, and must perform those tasks
24 under the direct supervision of a registered nurse or a licensed
25 practical nurse.

26 5. The Board shall adopt regulations not inconsistent with law:

27 (a) Specifying the scope of the training program and the
28 required components of the program;

29 (b) Establishing standards for the approval of programs and
30 instructors; and

31 (c) Designating the basic nursing services which a nursing
32 assistant may provide upon certification.

33 6. Any medical facility, educational institution or other
34 organization may provide a training program if the program meets
35 the requirements set forth in this chapter and in the regulations of
36 the Board, and is approved by the Board. Such a program must be
37 administered through:

38 (a) The *University of Nevada or the* Nevada System of Higher
39 Education;

40 (b) A program for career and technical education approved by
41 the State Board of Education;

42 (c) A public school in this State; or

43 (d) Any other nationally recognized body or agency authorized
44 by law to accredit or approve such programs.



7. An educational institution or agency that administers a training program shall:

(a) Develop or approve the curriculum for training provided in its service district;

(b) Manage the training program; and

(c) Work with medical and other facilities to carry out the requirements of paragraphs (a) and (b).

Sec. 451. NRS 639.238 is hereby amended to read as follows:

639.238 1. Prescriptions filled and on file in a pharmacy are not a public record. Except as otherwise provided in NRS 439.538 and 639.2357, a pharmacist shall not divulge the contents of any prescription or provide a copy of any prescription, except to:

(a) The patient for whom the original prescription was issued;

(b) The practitioner who originally issued the prescription;

(c) A practitioner who is then treating the patient;

(d) A member, inspector or investigator of the Board or an inspector of the Food and Drug Administration or an agent of the Investigation Division of the Department of Public Safety;

(e) An agency of state government charged with the responsibility of providing medical care for the patient;

(f) An insurance carrier, on receipt of written authorization signed by the patient or his or her legal guardian, authorizing the release of such information;

(g) Any person authorized by an order of a district court;

(h) Any member, inspector or investigator of a professional licensing board which licenses a practitioner who orders prescriptions filled at the pharmacy;

(i) Other registered pharmacists for the limited purpose of and to the extent necessary for the exchange of information relating to persons who are suspected of:

(1) Misusing prescriptions to obtain excessive amounts of drugs; or

(2) Failing to use a drug in conformity with the directions for its use or taking a drug in combination with other drugs in a manner that could result in injury to that person;

(j) A peace officer employed by a local government for the limited purpose of and to the extent necessary:

(1) For the investigation of an alleged crime reported by an employee of the pharmacy where the crime was committed; or

(2) To carry out a search warrant or subpoena issued pursuant to a court order; or

(k) A county coroner, medical examiner or investigator employed by an office of a county coroner for the purpose of:

(1) Identifying a deceased person;

(2) Determining a cause of death; or



(3) Performing other duties authorized by law.

2. Any copy of a prescription for a controlled substance or a dangerous drug as defined in chapter 454 of NRS that is issued to a county coroner, medical examiner or investigator employed by an office of a county coroner must be limited to a copy of the prescription filled or on file for:

(a) The person whose name is on the container of the controlled substance or dangerous drug that is found on or near the body of a deceased person; or

(b) The deceased person whose cause of death is being determined.

3. Except as otherwise provided in NRS 639.2357, any copy of a prescription for a controlled substance or a dangerous drug as defined in chapter 454 of NRS, issued to a person authorized by this section to receive such a copy, must contain all of the information appearing on the original prescription and be clearly marked on its face “Copy, Not Refillable—For Reference Purposes Only.” The copy must bear the name or initials of the registered pharmacist who prepared the copy.

4. If a copy of a prescription for any controlled substance or a dangerous drug as defined in chapter 454 of NRS is furnished to the customer, the original prescription must be voided and notations made thereon showing the date and the name of the person to whom the copy was furnished.

5. As used in this section, “peace officer” does not include:

(a) A member of ~~the~~ a Police Department ~~of the Nevada System of Higher Education.~~ created pursuant to NRS 396.325.

(b) A school police officer who is appointed or employed pursuant to NRS 391.281.

Sec. 452. NRS 645.343 is hereby amended to read as follows:

645.343 1. In addition to the other requirements contained in this chapter, an applicant for an original real estate salesperson’s license must furnish proof satisfactory to the Real Estate Division that the applicant has successfully completed a course of instruction which consists of not less than 120 hours of instruction in the principles, practices, procedures, law and ethics of real estate, which course may be an extension or correspondence course offered by ~~the~~ **University of Nevada or** the Nevada System of Higher Education, by any other accredited college or university or by any other college or school approved by the Commission. The course of instruction must include:

(a) The subject of disclosure of required information in real estate transactions, including instruction on methods a seller may use to obtain the required information;



(b) Not less than 15 hours of instruction in the preparation of contracts in real estate transactions to the extent allowed in the capacity of a licensee; and

(c) Not less than 15 hours of instruction on agency.

2. An applicant for an original real estate broker's or broker-salesperson's license must furnish proof satisfactory to the Real Estate Division that the applicant has successfully completed:

(a) Three semester units or an equivalent number of quarter units in real estate law, including at least 18 classroom hours of the real estate law of Nevada;

(b) Three semester units or an equivalent number of quarter units in the principles of real estate;

(c) Nine semester units or the equivalent in quarter units of college level courses in real estate appraisal and business or economics;

(d) Nine semester units or the equivalent in quarter units of college level courses in real estate, business or economics;

(e) Three semester units or an equivalent number of quarter units in broker management;

(f) Not less than one semester unit or an equivalent number of quarter units of instruction in the preparation of contracts in real estate transactions to the extent allowed in the capacity of a licensee; and

(g) Not less than one semester unit or an equivalent number of quarter units of instruction on agency.

3. On and after January 1, 1986, in addition to other requirements contained in this chapter, an applicant for an original real estate broker's or broker-salesperson's license must furnish proof satisfactory to the Real Estate Division that the applicant has completed 64 semester units or the equivalent in quarter units of college level courses. This educational requirement includes and is not in addition to the requirements listed in subsection 2.

4. For the purposes of this section, each person who holds a license as a real estate broker, broker-salesperson or salesperson, or an equivalent license, issued by a state or territory of the United States, or the District of Columbia, is entitled to receive credit for the equivalent of 16 semester units of college level courses for each 2 years of active experience that, during the immediately preceding 10 years, the person has obtained while he or she has held such a license, not to exceed 8 years of active experience. This credit may not be applied against the requirement in subsection 2 for three semester units or an equivalent number of quarter units in broker management or 18 classroom hours of the real estate law of Nevada.



5. An applicant for a broker's license pursuant to NRS 645.350 must meet the educational prerequisites applicable on the date his or her application is received by the Real Estate Division.

6. As used in this section, "college level courses" are courses offered by any accredited college or university or by any other institution which meet the standards of education established by the Commission. The Commission may adopt regulations setting forth standards of education which are equivalent to the college level courses outlined in this subsection. The regulations may take into account the standard of instructors, the scope and content of the instruction, hours of instruction and such other criteria as the Commission requires.

Sec. 453. NRS 645.830 is hereby amended to read as follows:

645.830 1. The following fees must be charged by and paid to the Division:

For each original real estate broker's, broker-salesperson's or corporate broker's license.....	\$105
For each original real estate salesperson's license.....	85
For each original branch office license	120
For real estate education, research and recovery to be paid at the time an application for an original license is filed	40
For real estate education, research and recovery to be paid at the time an application for renewal of a license is filed.....	40
For each renewal of a real estate broker's, broker-salesperson's or corporate broker's license.....	180
For each renewal of a real estate salesperson's license.....	140
For each renewal of a real estate branch office license.....	110
For each penalty for late filing of a renewal for a broker's, broker-salesperson's or corporate broker's license	95
For each penalty for late filing of a renewal for a salesperson's license	75
For each change of name or address.....	20
For each transfer of a real estate salesperson's or broker-salesperson's license and change of association or employment.....	20



For each duplicate license where the original license is lost or destroyed, and an affidavit is made thereof.....	\$20
For each change of broker status from broker to broker-salesperson.....	20
For each change of broker status from broker-salesperson to broker.....	40
For each reinstatement to active status of an inactive real estate broker's, broker-salesperson's or salesperson's license.....	20
For each reinstatement of a real estate broker's license when the licensee fails to give immediate written notice to the Division of a change of name or business location.....	30
For each reinstatement of a real estate salesperson's or broker-salesperson's license when he or she fails to notify the Division of a change of broker within 30 days of termination by previous broker	30
For each original registration of an owner-developer.....	125
For each annual renewal of a registration of an owner-developer.....	125
For each enlargement of the area of an owner-developer's registration.....	50
For each cooperative certificate issued to an out-of-state broker licensee for 1 year or fraction thereof	150
For each original accreditation of a course of continuing education	100
For each renewal of accreditation of a course of continuing education	50
For each annual approval of a course of instruction offered in preparation for an original license or permit.....	100

2. In addition to the fees imposed by subsection 1 and NRS 645.843, each applicant for the issuance or renewal of a real estate broker's, broker-salesperson's or salesperson's license issued pursuant to this chapter must pay to the Division a technology fee of \$15.

3. The fees prescribed by this section for courses of instruction offered in preparation for an original license or permit or for courses of continuing education do not apply to:



(a) Any university, state college or community college of *the University of Nevada or* the Nevada System of Higher Education.

(b) Any agency of the State.

(c) Any regulatory agency of the Federal Government.

4. The Commission shall adopt regulations which establish the fees to be charged and collected by the Division to pay the costs of any investigation of a person's background.

Sec. 454. NRS 645A.021 is hereby amended to read as follows:

645A.021 1. In addition to any other requirement, an applicant for an original license as an escrow agent or agency must furnish proof satisfactory to the Commissioner of the successful completion of a course of instruction in the principles, practices, procedures, law and ethics of escrows, which course may be an extension or correspondence course offered by *the University of Nevada or* the Nevada System of Higher Education, by any other accredited college or university or by any other college or school approved by the Commissioner.

2. An applicant for a license as an escrow agent or agency pursuant to NRS 645A.020 must meet the educational prerequisites required pursuant to this section not later than the date on which his or her application is received by the Office of the Commissioner.

3. The Commissioner shall adopt regulations setting forth standards for the educational prerequisites required pursuant to this section. The regulations must address standards for instructors, the scope and content of the instruction, required hours of instruction and such other criteria as the Commissioner considers necessary.

Sec. 455. NRS 652.170 is hereby amended to read as follows:

652.170 1. The Board shall appoint the members of the Medical Laboratory Advisory Committee.

2. After the initial terms, members shall serve for 3-year terms.

3. A member may not serve for more than two consecutive terms. Service of 2 or more years in filling an unexpired term constitutes a term.

4. The Advisory Committee is composed of:

(a) Two pathologists, certified in clinical pathology by the American Board of Pathology.

(b) Two medical technologists.

(c) One bioanalyst who is a laboratory director.

(d) One qualified biochemist from *the University of Nevada or* the Nevada System of Higher Education.

(e) One licensed physician actively engaged in the practice of clinical medicine in this State.



5. No member of the Advisory Committee may have any financial or business arrangement with any other member which pertains to the business of laboratory analysis.

6. The Chief Medical Officer or a designated representative of the Chief Medical Officer is an ex officio member of the Advisory Committee.

7. Each member of the Advisory Committee is entitled to receive:

(a) A salary of not more than \$60, as fixed by the Board, for each day's attendance at a meeting of the Committee; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Committee. The rate must not exceed the rate provided for state officers and employees generally.

8. While engaged in the business of the Committee, each employee of the Committee is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

Sec. 456. NRS 656A.055 is hereby amended to read as follows:

656A.055 "Postsecondary educational setting" means communication relating to participation by students in curricular or extracurricular programming provided by or through:

1. A university, college or community college within *the University of Nevada or* the Nevada System of Higher Education; or

2. A postsecondary educational institution, as defined in NRS 394.099.

Sec. 457. NRS 678C.830 is hereby amended to read as follows:

678C.830 1. Any money the Division receives pursuant to NRS 678C.820 or that is appropriated to carry out the provisions of this chapter governing the issuance of registry identification cards and letters of approval and the regulation of the holders of such cards and letters:

(a) Must be deposited in the State Treasury and accounted for separately in the State General Fund;

(b) May only be used to carry out:

(1) The provisions of this chapter governing the issuance of registry identification cards and letters of approval and the regulation of the holders of such cards and letters, including the dissemination of information concerning those provisions and such other information as determined appropriate by the Division;



(2) Programs for alcohol or substance use disorders pursuant to NRS 458.094; and

(3) Research performed by an institution of *the University of Nevada or* the Nevada System of Higher Education on services relating to alcohol and other substance use disorders; and

(c) Does not revert to the State General Fund at the end of any fiscal year.

2. The Administrator of the Division shall administer the account. Any interest or income earned on the money in the account must be credited to the account. Any claims against the account must be paid as other claims against the State are paid.

Sec. 458. NRS 701.180 is hereby amended to read as follows:

701.180 The Director shall:

1. Acquire and analyze information relating to energy and to the supply, demand and conservation of its sources, including, without limitation:

(a) Information relating to the Solar Energy Systems Incentive Program created pursuant to NRS 701B.240 and the Wind Energy Systems Demonstration Program created pursuant to 701B.580, including, without limitation, information relating to:

(1) The development of distributed generation systems in this State pursuant to participation in the Solar Energy Systems Incentive Program;

(2) The use of carbon-based energy in residential and commercial applications due to participation in the Programs; and

(3) The average cost of generation on a kilowatt-hour basis for residential and commercial applications due to participation in the Programs; and

(b) Information relating to any money distributed pursuant to NRS 702.270.

2. Review and evaluate information which identifies trends and permits forecasting of the energy available to the State. Such forecasts must include estimates on:

(a) The level of demand for energy in the State for 5-, 10- and 20-year periods;

(b) The amount of energy available to meet each level of demand;

(c) The probable implications of the forecast on the demand and supply of energy; and

(d) The sources of renewable energy and other alternative sources of energy which are available and their possible effects.

3. Study means of reducing wasteful, inefficient, unnecessary or uneconomical uses of energy and encourage the maximum utilization of existing sources of energy in the State.



4. Solicit and serve as the point of contact for grants and other money from the Federal Government, including, without limitation, any grants and other money available pursuant to any program administered by the United States Department of Energy, and other sources:

(a) To promote energy projects that enhance the economic development of the State;

(b) To promote the use of renewable energy in this State;

(c) To promote the use of measures which conserve or reduce the demand for energy or which result in more efficient use of energy;

(d) To develop a comprehensive program for retrofitting public buildings in this State with energy efficiency measures; and

(e) If the Director determines that it is feasible and cost-effective, to enter into contracts with researchers from *the University of Nevada or* the Nevada System of Higher Education for the design of energy efficiency and retrofit projects to carry out the comprehensive program for retrofitting public buildings in this State developed pursuant to paragraph (d).

5. Coordinate the activities and programs of the Office of Energy with the activities and programs of the Consumer's Advocate and the Public Utilities Commission of Nevada, and with other federal, state and local officers and agencies that promote, fund, administer or operate activities and programs related to the use of renewable energy and the use of measures which conserve or reduce the demand for energy or which result in more efficient use of energy.

6. If requested to make a determination pursuant to NRS 111.239 or 278.0208, make the determination within 30 days after receiving the request. If the Director needs additional information to make the determination, the Director may request the information from the person making the request for a determination. Within 15 days after receiving the additional information, the Director shall make a determination on the request.

7. Cooperate with the Department of Wildlife in carrying out the provisions of NRS 701.600 to 701.640, inclusive.

8. Upon request by a developer of an energy development project or a local government in a county in which an energy development project is proposed to be located, coordinate discussions, not otherwise required by any existing regulatory agency, with interested parties concerning any potential effect of the energy development project.

9. Carry out all other directives concerning energy that are prescribed by the Governor.



Sec. 459. NRS 701.390 is hereby amended to read as follows:

701.390 The Director shall:

1. Utilize all available public and private means to:

(a) Provide information to the public about issues relating to energy and to explain how conservation of energy and its sources may be accomplished; and

(b) Work with educational and research institutions, trade associations and any other public and private entities in this State to create a database for information on technological development, financing opportunities and federal and state policy developments regarding renewable energy and energy efficiency.

2. Encourage the development of any sources of renewable energy and any energy projects which will benefit the State and any measures which conserve or reduce the demand for energy or which result in more efficient use of energy, including, without limitation, by:

(a) Identifying appropriate areas in this State for the development of sources of renewable energy, based on:

(1) Assessments of solar, wind and geothermal potential;

(2) Evaluations of natural resource constraints;

(3) Current electric transmission infrastructure and capacity;

and

(4) The feasibility of the construction of new electric transmission lines;

(b) Working with renewable energy developers to locate their projects within appropriate areas of this State, including, without limitation, assisting the developers to interact with the Bureau of Land Management, the Department of Defense and other federal agencies in:

(1) Expediting land leases;

(2) Resolving site issues; and

(3) Receiving permits for projects on public lands within the appropriate areas of this State;

(c) Coordinating the planning of renewable energy projects in appropriate areas of this State to establish a mix of solar, wind and geothermal renewable energy systems that create a reliable source of energy and maximize the use of current or future transmission lines and infrastructure; and

(d) Developing proposals for the financing of future electric transmission projects for renewable energy if no such financing proposals exist.

3. Review jointly with *the University of Nevada and* the Nevada System of Higher Education the policies of this State relating to the research and development of the geothermal energy resources in this State and make recommendations to the appropriate



1 state and federal agencies concerning methods for the development
2 of those resources.

3 4. If the Director determines that it is feasible and cost-
4 effective, enter into contracts with researchers from *the University*
5 *of Nevada* or the Nevada System of Higher Education:

6 (a) To conduct environmental studies relating to the
7 identification of appropriate areas in this State for the development
8 of renewable energy resources, including, without limitation,
9 hydrologic studies, solar resource mapping studies and wind power
10 modeling studies;

11 (b) For the development of technologies that will facilitate the
12 energy efficiency of the electricity grid for this State, including,
13 without limitation, meters that facilitate energy efficiency for
14 consumers of electricity; and

15 (c) For the design of energy efficiency and retrofit projects to
16 carry out the comprehensive program for retrofitting public
17 buildings in this State with energy efficiency measures.

18 5. Carry out all other directives concerning energy that are
19 prescribed by the Legislature.

20 **Sec. 460.** NRS 701B.312 is hereby amended to read as
21 follows:

22 701B.312 “Institution of higher education” means:

23 1. A university, college or community college which is
24 privately owned or which is part of *the University of Nevada* or the
25 Nevada System of Higher Education; or

26 2. A postsecondary educational institution, as defined in NRS
27 394.099, or any other institution of higher education.

28 **Sec. 461.** NRS 701B.460 is hereby amended to read as
29 follows:

30 701B.460 “Institution of higher education” means:

31 1. A university, college or community college which is
32 privately owned or which is part of *the University of Nevada* or the
33 Nevada System of Higher Education; or

34 2. A postsecondary educational institution, as defined in NRS
35 394.099, or any other institution of higher education.

36 **Sec. 462.** Section 2 of the NV Grow Act, being chapter 459,
37 Statutes of Nevada 2015, as last amended by chapter 570, Statutes
38 of Nevada 2019, at page 3666, is hereby amended to read as
39 follows:

40 Sec. 2. 1. The Division, in consultation with the
41 stakeholders group, shall develop, create and oversee the NV
42 Grow Program to stimulate Nevada’s economy with a view
43 toward providing assistance to businesses that are already
44 located and operating in this State rather than recruiting
45 businesses from other states to relocate in Nevada.



2. Under the auspices of the program:

(a) Institutions of *the University of Nevada and* the Nevada System of Higher Education located in Clark County and the Nevada Small Business Development Center in Clark County shall, in cooperation with the geographic information system specialist employed at the College of Southern Nevada, mentor and track businesses participating in the program in Clark County. The Clark County Department of Business License will coordinate with the College to provide such data as may be necessary for the operation of the program in Clark County.

(b) The Nevada Small Business Development Centers located in Clark County and Washoe County shall each cooperate with the geographic information system specialist employed to assist businesses in Clark County that are participating in the program with marketing and other efforts.

3. The Division shall select the lead counselor and manage the NV Grow Program, which must include, without limitation:

(a) The employment of the lead counselor at the College of Southern Nevada who, in addition to his or her other duties, serves as the coordinator of the program;

(b) The employment of a geographic information specialist at the College of Southern Nevada who provides data to clients of the stakeholders group;

(c) The appointment of the College of Southern Nevada as administrator of the geographic information system and fiscal agent for the program;

(d) An analysis and identification by the Division of businesses and business sectors in this State that are ready to expand and a determination of which of these businesses and business sectors will participate in the program;

(e) Identification by the Centers and the Division of the skilled labor that exists in this State and its potential for growth;

(f) Targeting by the Centers and the Division of business sectors and occupations in this State that have demonstrated the ability to grow and stimulate the economy of the State;

(g) A focus by the Centers and the Division on the utilization of existing resources;

(h) The harnessing of the academic expertise of the College of Southern Nevada and the Centers to provide economic and market data to contribute to the diversification and growth of the economy of this State;



(i) The use of geographic information systems by the College of Southern Nevada and the Centers to map areas of this State to determine locations in which retail sales and other commerce are flourishing and locations in which retail sales and commerce demonstrate the capacity for further growth;

(j) The elements described in subsection 2;

(k) The provision of informational and other assistance by the College of Southern Nevada to businesses and business sectors in this State, including, without limitation, business training, nontraditional marketing techniques and business mentoring; and

(l) Such other components as the Division, in consultation with the stakeholders group, determines are likely to be necessary, advisable or advantageous for the growth and development of businesses located in this State.

4. The program shall, insofar as is possible, use the resources and expertise of the Centers and make available those resources and that expertise to businesses in this State for the purposes of:

(a) Developing business connections and business mentorships within the program;

(b) Exchanging data and other information with and between businesses and trade associations;

(c) Creating and facilitating peer-to-peer mentoring sessions for participants in the NV Grow Program; and

(d) Providing to businesses and business sectors data and other information that is calculated or otherwise generated through the use of geographic information systems.

5. To the extent possible, the program must be conducted with the goal of selecting at least 30 businesses in Clark County to participate in the program every year.

6. To qualify to participate in the program, a business must:

(a) Have its principal place of business within the State of Nevada and have had its principal place of business in this State for at least 2 years;

(b) Generate at least \$50,000 but not more than \$700,000 in revenue; and

(c) Have a business plan.

7. As used in this section:

(a) “Business plan” means a written statement of a set of business goals, the reasons those goals are believed to be attainable and the plan for reaching those goals.



(b) "Centers" means all institutions of *the University of Nevada and* the Nevada System of Higher Education, including, without limitation, the College of Southern Nevada and the University of Nevada, Reno.

(c) "Geographic information system" means a computerized database management system for the capture, storage, retrieval, analysis and display of spatial or locationally defined data.

(d) "Stakeholders group" means a group of persons interested in economic development in this State selected by the Division, including, without limitation, a representative of the College of Southern Nevada, the University of Nevada, Las Vegas, the Urban Chamber of Commerce of Las Vegas, the Las Vegas Latin Chamber of Commerce, the Henderson Chamber of Commerce, the Asian Community Development Council, the Valley Center Opportunity Zone, the University of Nevada Cooperative Extension in Clark County, Clark County and incorporated cities in Clark County and various entities affiliated with the Small Business Administration.

Sec. 463. Section 19 of the Southern Nevada Tourism Improvements Act, being chapter 2, Statutes of Nevada 2016, at page 19, is hereby amended to read as follows:

Sec. 19. "System" means the *University of Nevada* ~~{System of Higher Education.}~~ , as described in *NRS 396.020.*

Sec. 464. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 465. As soon as practicable on or before July 1, 2024:

1. The Governor shall appoint:

(a) The voting members of each board of trustees for each state college or community college in this State established pursuant to section 51 of this act. In appointing such members, the Governor shall, by lot, select:

(1) Four members to serve an initial term of 3 years; and

(2) Three members to serve an initial term of 2 years.

(b) To the State Board of Education, the additional member required to be appointed pursuant to paragraph (c) of subsection 2 of NRS 385.021, as amended by section 1 of this act.

(c) The Director, Deputy Director and assistant directors of the Nevada Office of Higher Education Administrative Services created by section 46 of this act required to be appointed pursuant to section 47 of this act.

2. The Chief Justice of the Nevada Supreme Court shall appoint to the committee created pursuant to NRS 1.530 the member



required to be appointed pursuant to paragraph (f) of subsection 1 of that section, as amended by section 235 of this act.

3. The Director of the Nevada Office of Higher Education Administrative Services created by section 46 of this act shall appoint to the Committee on the Estate Tax Account for the Endowment of the Nevada System of Higher Education the member required to be appointed pursuant to paragraph (b) of subsection 1 of NRS 375A.710, as amended by section 378 of this act.

Sec. 466. 1. The Nevada Office of Higher Education Administrative Services created by section 46 of this act and each higher education governing body shall cooperate in effectuating any transfer or termination of current employees of the Nevada System of Higher Education as necessary to carry out the provisions of this act.

2. As used in this section, “higher education governing body” has the meaning ascribed to it in NRS 396.005, as amended by section 54 of this act.

Sec. 467. 1. Any contract, lease or other agreement entered into before July 1, 2024, and in effect after July 1, 2024, by the Nevada System of Higher Education or the Board of Regents on behalf of the University of Nevada relating to the operation of or provision of services by or to any state college or community college in this State shall be deemed a contract, lease or other agreement entered into by the board of trustees of the respective state college or community college, as applicable, created pursuant to section 51 of this act, or the Nevada Office of Higher Education Administrative Services created by section 46 of this act or the Nevada System of Higher Education, as applicable.

2. Any contract, lease or other agreement entered into before July 1, 2024, and in effect after July 1, 2024, by the Nevada System of Higher Education or the Board of Regents on behalf of the University of Nevada relating to the operation of or provision of services by or to any university in this State shall be deemed a contract, lease or other agreement entered into by the Board of Regents of the University of Nevada.

Sec. 468. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 467, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2024, for all other purposes.

